

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA①
5-2-00
SC

010381

(Inmate Number)

SAMUEL E. PULLIN'S

(Name of Plaintiff)

230 SANDERSON STREET

(Address of Plaintiff)

POTTSVILLE, PA. 17901

1 : CV00-0769

(Case Number)

COMPLAINT

vs.

COMMONWEALTH of PENNSYLVANIA:
INDIVIDUALLY AND IN ITS OFFICIAL
CAPACITY AS DIRECTOR OF STATE
(Names of Defendants) OFFICES, ET AL.FILED
SCRANTON

APR 28 2000

PER 1
DEPUTY CLERKTO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS
☐ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:
THIS IS A CIVIL ACTION AUTHORIZED BY 42 USC SEC 1983 TO
REDRESS THE DEPRIVATION, UNDER COLOR OF STATE LAW, OF
RIGHT SECURED BY THE CONSTITUTION OF THE U.S. THE COURT
HAS JURISDICTION UNDER 28 USC, SEC. 1343. PLAINTIFF SEEKS
DECLARATORY RELIEF PURSUANT TO 28 USC, SECS. 2201 AND 2202.

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?
☒ Yes ☐ No
- B. Have you filed a grievance concerning the facts relating to this complaint?
☒ Yes ☐ No

If your answer is no, explain why not _____

- C. Is the grievance process completed? ☒ Yes ☐ No

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant COMMONWEALTH OF PENNSYLVANIA is employed
as DIRECTOR OF STATE DEPT. at STRAWBERRY SQUARE HARRISBURG
PA. 17120
- B. Additional defendants ^{B(1)} GOVERNOR TOM RIDGE AS GOVERNOR OF
P.A. AT STRAWBERRY SQUARE HARRISBURG, PA. 17120
B(2) DEFENDANT GOVERNOR OFFICE OF PA. AS DIRECTOR
OF GOVERNOR OFFICE AT STRAWBERRY SQUARE HARRISBURG,
PA. 17120

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. ON TUESDAY, MARCH 30TH 1999, AT ABOUT 5:30 A.M.
DEFENDANTS, STATE ATTORNEY GENERAL AGENT(S), SCH. CO.
SHERIFF(S), SCH. CO. DRUG TASK FORCE AGENT(S), POTTSVILLE
BUREAU OF POLICE OFFICER(S) AND THE POTTSVILLE REPUBLICAN
2. CAN AND EVENING HERALD ARRIVED AT PLAINTIFF HOME.
LOCATED AT 310 N. 12TH STREET, POTTSVILLE PA. 17901.
#570-622-1930, WHEREUPON DEFENDANTS KNOCKED ON
THE FRONT DOOR. PLAINTIFF STEP-SON MARQUES REAVES
3. ANSWERED THE FRONT DOOR. DEFENDANTS ASKED WAS
PLAINTIFF HOME. PLAINTIFF WAS AT THE TOP OF THE
STAIRS (ON THE SECOND FLOOR) LOOKING AT THE FRONT DOOR.
BEFORE PLAINTIFF STEP-SON COULD SAY ANYTHING.

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. THE PLAINTIFF HAVE NO PLAIN, ADEQUATE OR COMPLETE REMEDY AT LAW TO REDRESS THE WRONGS DESCRIBED HERE, IN, PLAINTIFF HAVE BEEN AND WILL CONTINUE TO BE IRREPARABLY INJURED BY THE CON-
2. DUCT OF THE DEFENDANTS UNLESS THIS COURT GRANTS THE DECLARATORY, INJUNCTIVE RELIEF THAT PLAINTIFF SEEK. WHEREAS PLAINTIFF RESPECTFULLY PRAY THAT THIS COURT ENTER JUDGEMENT GRANT-
3. ING PLAINTIFF: A MOVE IN THIS COURT FOR AN ORDER APPOINTING COUNSEL, A MEMBER OF THE PENNSYLVANIA BAR, TO REPRESENT THEM BECAUSE THEY CANNOT AFFORD TO EMPLOY AN ATTORNEY.

Signed this 14TH day of APRIL, 2000.

Samuel E. Pullins
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

APRIL 14TH, 2000
(Date)

Samuel E. Pullins
(Signature of Plaintiff)

PLAINTIFF

#010381

SAMUEL E. PULLINS

230 SANDERSON STREET

POTTSVILLE, PA. 17901

FILED
SCRANTON

APR 28 2000

RECEIVED
SCRANTON

APR 24 2000

PER 1 DEPUTY CLERKPER 1 DEPUTY CLERK

VS.

ADDITIONAL DEFENDANTS {PART I}

GOVERNOR OFFICE OF PA, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF GOVERNOR OFFICE.

GOVERNOR OF PA, TOM RIDGE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERINTENDENT OF GOVERNOR OFFICE.

ATTORNEY GENERAL OFFICE OF PA, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF ATTORNEY GENERAL OFFICE.

ATTORNEY GENERAL OF PA, MICHAEL FISHER, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERINTENDENT OF ATTORNEY GENERAL OFFICE.

ATTORNEY GENERAL DEPUTY PRESS SECRETARY, KEVIN F. HARLEY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS DEPUTY PRESS SECRETARY.

ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATION OFFICE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATIONS.

REGIONAL DIRECTOR OF ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATION, STEVEN R. WHEELER, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS DIRECTOR OF ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATIONS OFFICE.

SENIOR DEPUTY ATTORNEY GENERAL OF PA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS LAWRENCE M. CHERBA AND DIRECTOR OF PROSECUTION OF ATTORNEY GENERAL OFFICE.

COUNTY OF SCHUYLKILL, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF SCHUYLKILL COUNTY.

COUNTY OF SCHUYLKILL COMMISSIONER OFFICE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF SCH. CO. COMMISSIONER OFFICE. COMMISSIONER OF SCH. CO., FORREST L. SHADLE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERINTENDENT OF SCH. CO. COMMISSIONER OFFICE.

ADDITIONAL NAMES OF DEFENDANTS PART I

- COMMISSIONER OF SCH. CO., JEROM P. KNOWLES, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS CONTROLLER OF COMMISSIONERS OFFICE.
- COMMISSIONER OF SCH. CO., STANLEY H. TOBASH, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COMMISSIONER OF SCH. CO.
- COUNTY OF SCH. DRUG TASK FORCE OFFICE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF SCH. CO. DRUG TASK FORCE OFFICE.
- COUNTY OF SCH. DRUG TASK FORCE AGENT/OFFICER, ROBERT W. PHILLIPS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS AGENT/OFFICER OF SCH. CO. DRUG TASK FORCE.
- COUNTY OF SCH. DRUG TASK FORCE AGENT/OFFICER, ROBERT BRUCE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS OFFICER/AGENT OF SCH. CO. DRUG TASK FORCE.
- COUNTY OF SCHUYLKILL DRUG TASK FORCE AGENT/OFFICER, JEFF WALCOTT, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS AGENT/OFFICER OF SCH. CO. DRUG TASK FORCE.
- COUNTY OF SCH. DISTRICT JUSTICE OFFICE, DISTRICT #21-3-02, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF DISTRICT #21-3-02.
- COUNTY OF SCH. DISTRICT JUSTICE OFFICE, DISTRICT #21-3-07, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF SCH. CO. DISTRICT #21-3-07.
- COUNTY OF SCH. DISTRICT ATTORNEY OFFICE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF DISTRICT ATTORNEY OFFICE.
- COUNTY OF SCH. DISTRICT ATTORNEY, CLAUDE A. LORD SHIELDS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERINTENDENT OF SCH. CO. DISTRICT ATTORNEY OFFICE.
- COUNTY OF SCH. FIRST ASSISTANT DISTRICT ATTORNEY, CHARLES BRENNAN, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS DEPUTY DISTRICT ATTORNEY.
- COUNTY OF SCH. ASSISTANT DISTRICT ATTORNEY, LEO BREZNIK, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS ASSISTANT DISTRICT ATTORNEY.
- COUNTY OF SCH. SHERIFFS OFFICE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF SCH. CO. SHERIFFS OFFICE.
- COUNTY OF SCH. SHERIFF, FRANCIS V. MCANDREWS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SHERIFF OF SCH. CO.
- CITY OF POTTSVILLE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF THE CITY OF POTTSVILLE.

ADDITIONAL NAMES OF DEFENDANTS PART 13

CITY OF POTTSVILLE MAYOR OFFICE, INDIVIDUALLY AND IN OFFICIAL CAPACITY AS DIRECTOR OF THE CITY OF POTTSVILLE MAYOR OFFICE.

CITY OF POTTSVILLE MAYOR, TERENCE P. REILEY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS MAYOR OF THE CITY OF POTTSVILLE.

CITY OF POTTSVILLE BUREAU OF POLICE DEPARTMENT, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF CITY OF POTTSVILLE BUREAU OF POLICE.

CITY OF POTTSVILLE BUREAU OF POLICE CHIEF, DALE REPP, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS CHIEF OF THE CITY OF POTTSVILLE BUREAU OF POLICE.

CITY OF POTTSVILLE BUREAU OF POLICE CAPTAIN, MICHAEL O'TOOLE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS CAPTAIN OF THE CITY OF POTTSVILLE POLICE.

CITY OF POTTSVILLE BUREAU OF POLICE OFFICER, Cpl. MARLIN J. REED, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS Cpl. OFFICER OF THE CITY OF POTTSVILLE BUREAU OF POLICE.

CITY OF POTTSVILLE BUREAU OF POLICE, OFFICER RICHARD F. WOJCIECHOWSKY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS OFFICER OF THE CITY OF POTTSVILLE BUREAU OF POLICE.

CITY OF POTTSVILLE BUREAU OF POLICE, OFFICER GENE TRAY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS OFFICER OF THE CITY OF POTTSVILLE BUREAU OF POLICE.

CITY OF POTTSVILLE HOUSING AUTHORITY, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF POTTSVILLE HOUSING AUTHORITY.

THE POTTSVILLE REPUBLICAN AND EVENING HERALD, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF POTTSVILLE REPUBLICAN AND EVENING HERALD.

CITY COUNCILMAN OFFICE OF POTTSVILLE, INDIVIDUALLY AND IN ITS OFFICIAL CAPACITY AS DIRECTOR OF CITY COUNCILMAN OFFICE OF POTTSVILLE.

CITY OF POTTSVILLE COUNCILMAN MICHAEL P. HALCOVAGE INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COUNCILMAN OF THE CITY OF POTTSVILLE.

CITY OF POTTSVILLE COUNCILMAN, JAMES M. SHIELDS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COUNCILMAN TO THE CITY OF POTTSVILLE.

CITY OF POTTSVILLE COUNCILMAN LAWRENCE J. IONERGAN, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COUNCILMAN TO THE CITY OF POTTSVILLE.

ADDITIONAL DEFENDANTS NAMES (PART 1)

CITY OF POTTSVILLE COUNCILMAN, DR. ARTHUR I. HARRIS III, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COUNCILMAN TO THE CITY OF POTTSVILLE.

DWIGHT DUCKETT, INDIVIDUALLY AND IN HIS OFFICIAL AS CI-158-98 TO SCH. CO. DRUG TASK FORCE / CITY OF POTTSVILLE BREAU OF POLICE DEPARTMENT.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE / INFORMATION AND BELIEF.

DATE: 14TH DAY OF APRIL, 2000.

SAMUEL E. PULLINS

Samuel E. Pullins

010381

SAMUEL E. Pullins
230 SANDERSON STREET
POTTSVILLE, PA. 17901

PART III. ADDITIONAL DEFENDANTS

- B.(3) DEFENDANT, ATTORNEY GENERAL OFFICE OF PA. AS DIRECTOR
'OF ATTORNEY GENERAL OFFICE OF PA. AT STRAWBERRY SQUARE,
16TH FLOOR, HARRISBURG PA. 17120.
- B.(4) DEFENDANT MICHEAL FISHER AS ATTORNEY GENERAL OF PA.
'AT STRAWBERRY SQUARE, 16TH FLOOR, HARRISBURG PA. 17120.
- B.(5) DEFENDANT, KEVIN F. HARLEY AS ATTORNEY GENERAL DUPTY
'PRESS SECRETARY AT 16TH FLOOR, STRAWBERRY SQUARE, HARRIS-
BURG PA. 17120.
- B.(6) DEFENDANT, ATTORNEY GENERAL BUREAU OF NARCOTICS IN -
'VESTIGATION OFFICE AS DIRECTOR OF BUREAU OF INVESTIGATION
AT 16TH FLOOR, STRAWBERRY SQUARE HARRISBURG, PA. 17120.
- B.(7) DEFENDANT, STEVEN R. WHEELER AS REGIONAL DIRECTOR OF
ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATIONS AT 16TH
FLOOR, STRAWBERRY SQUARE HARRISBURG, PA. 17120.
- B.(8) DEFENDANT, LAWRENCE M. CHERBA AS SENIOR DEPUTY
ATTORNEY GENERAL OF PROSECUTION AT 16TH FLOOR, STRAW -
BERRY SQUARE HARRISBURG, PA. 17120.
- B.(9) DEFENDANT, COUNTY OF SCHUYLKILL AS DIRECTOR OF SCH. CO.
'AT SCH. CO. COURTHOUSE, 401 N. 2ND STREET, POTTSVILLE, PA.
17901-2520.
- B.(10) DEFENDANT, COUNTY OF SCHUYLKILL COMMISSIONER OFFICE AS
'DIRECTOR OF SCH. CO. COMMISSIONER OFFICE AT SCHUYLKILL
COUNTY COURT HOUSE, 401 N. SECOND STREET, POTTSVILLE, PA.
17901-2520.
- B.(11) DEFENDANT, FORREST I. SHADLE AS COMMISSIONER OF SCH
'CO. AT SCH. CO. COURTHOUSE, 401 N. 2ND STREET, POTTSVILLE PA.
17901-2520.
- B.(12) DEFENDANT, JEROM P. KNOWLES AS COMMISSIONER OF
SCH. CO. AT SCH. CO. COURTHOUSE, 401 N. 2ND STREET, POTTS-
VILLE, PA. 17901-2520.
- 3.(13) DEFENDANT, STANLEY H. TOBASH AS COMMISSIONER OF SCH.
'CO. AT SCH. CO. COURTHOUSE, 401 N 2ND STREET, POTTSVILLE
PA. 17901-2520.

PART III. ADDITIONAL DEFENDANTS

- B.(14) DEFENDANT, COUNTY OF SCHUYLKILL DRUG TASK FORCE OFFICE AS DIRECTOR OF DRUG TASK FORCE OFFICE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901.
- B.(15) DEFENDANT, ROBERT W. PHILLIPS AS OFFICER/AGENT OF SCH. CO. DRUG TASK FORCE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET POTTSVILLE PA. 17901-2520.
- B.(16) DEFENDANT, ROBERT BRUCE AS OFFICER OF SCH. CO. DRUG TASK FORCE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET POTTSVILLE, PA. 17901-2520.
- B.(17) DEFENDANT, JEFF WALCOT AS OFFICER/AGENT OF SCH. CO. DRUG TASK FORCE AT SCH CO. COURT HOUSE, 401 N. 2ND STREET POTTSVILLE, PA. 17901.
- B.(18) DEFENDANT, COUNTY OF SCHUYLKILL DISTRICT JUSTICE OFFICE AS DIRECTOR OF DISTRICT #21-3-02 AT 2276 WEST MARKET STREET, POTTSVILLE, PA. 17901.
- B.(19) DEFENDANT, CO. OF SCH. DISTRICT JUSTICE OFFICE AS DIRECTOR OF DISTRICT #21-3-07 AT 200 N. CENTRE STREET, POTTSVILLE, PA. 17901.
- B.(20) DEFENDANT, CO. OF SCH. DISTRICT ATTORNEY OFFICE AS DIRECTOR OF DISTRICT ATTORNEY OFFICE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901-2520.
- B.(21) DEFENDANT, CLAUDE A. LORD SHIELDS AS SUPERINTENDENT OF SCH. CO. DISTRICT ATTORNEY OFFICE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901-2520.
- B.(22) DEFENDANT, CHARLES BRESSI AS FIRST ASSISTANT DISTRICT ATTORNEY AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901-2520.
- B.(23) DEFENDANT, LEO BREZNIK AS ASSISTANT DISTRICT ATTORNEY AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901-2520.
- B.(24) DEFENDANT, CO. OF SCH. SHERIFFS OFFICE AS DIRECTOR OF SCH. CO. SHERIFFS OFFICE AT SCHUYLKILL CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE, PA. 17901-2520.
- B.(25) DEFENDANT, FRANCIS V. MC ANDREWS AS OFFICER OF SCH. CO. SHERIFF DEPARTMENT/OFFICE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET, POTTSVILLE PA. 17901-2520.
- B.(26) DEFENDANT, CITY OF POTTSVILLE AS DIRECTOR OF THE CITY OF POTTSVILLE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901

PART III ADDITION NAMES OF DEFENDANTS

- B.(27) DEFENDANT, CITY OF POTTSVILLE MAYOR OFFICE AS DIRECTOR OF MAYOR OFFICE AT 4TH FLOOR, 301 N. CENTRE STREET, POTTSVILLE, PA. 17901.
- B.(28) DEFENDANT, TERENCE P. REILEY AS SUPERINTENDANT OF THE CITY OF POTTSVILLE MAYOR OFFICE AT 4TH FLOOR, 301 N. CENTRE STREET, POTTSVILLE PA. 17901.
- B.(29) DEFENDANT, CITY OF POTTSVILLE BUREAU OF POLICE AS DIRECTOR OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE, PA. 17901.
- B.(30) DEFENDANT, DALE REPP AS CHIEF OF THE CITY OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(31) DEFENDANT, MICHAEL O'TOOLE AS CAPTAIN OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(32) DEFENDANT, MARLIN J. REED AS Cpl. OFFICER OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(33) DEFENDANT, GENE TRAY AS D.T. OFFICER OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(34) DEFENDANT, RICHARD F. WOJCIECHOWSKY AS OFFICER OF POTTSVILLE BUREAU OF POLICE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(35) DEFENDANT, CITY OF POTTSVILLE COUNCILMAN OFFICE AS DIRECTOR OF POTTSVILLE COUNCILMAN AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(36) DEFENDANT, MICHAEL P. HALCOVAGE AS CITY COUNCILMAN OF POTTSVILLE AT 301 N. CENTRE STREET, POTTSVILLE PA. 17901.
- B.(37) DEFENDANT, JAMES M. SHIELDS AS CITY COUNCILMAN OF POTTSVILLE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(38) DEFENDANT, LAWRENCE J. IONERGAN AS CITY COUNCILMAN OF POTTSVILLE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(39) DEFENDANT, ARTHUR I. HARRIS III AS CITY COUNCILMAN OF POTTSVILLE AT 301 N. CENTRE STREET POTTSVILLE PA. 17901.
- B.(40) DEFENDANT, ~~AT THE~~ THE POTTSVILLE REPUBLICAN AND EVENING HERALD AS DIRECTOR OF POTTSVILLE REPUBLICAN AND EVENING HERALD AT 111 MAHANTONGO STREET POTTSVILLE PA. 17901.

PART III. ADDITIONAL NAMES OF DEFENDANT.

B.(41) DEFENDANT, CITY OF POTTSVILLE HOUSING AUTHORITY AS DIRECTOR OF POTTSVILLE HOUSING AUTHORITY'S AT LAUREL STREET POTTSVILLE PA. 17901.

B.(42) DEFENDANT, DWIGHT DUCKETT AS CI-158-98 of SCH CO DRUG TASK FORCE AT SCH. CO. COURT HOUSE, 401 N. 2ND STREET POTTSVILLE PA. 17901 / ~~THE~~ CITY OF POTTSVILLE BUREAU OF POLICE DEPARTMENT 301 N. CENTRE STREET, POTTSVILLE PA. 17901.

B.(43) EACH DEFENDANT IS SUED INDIVIDUALLY AND IN HIS OR HER OFFICIAL CAPACITY, AT ALL TIMES MENTIONED IN THIS COMPLAINT EACH DEFENDANT ACTED UNDER THE COLOR OF PENNSYLVANIA LAW, AS WELL AS CONSTITUTIONAL RIGHTS.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE OR INFORMATION AND BELIEF.

DATE: 14TH DAY OF APRIL, 2000

SAMUEL E. PULLINS

Samuel E. Pullins

010381

SAMUEL E. PULLINS
230 SANDERSON STREET
POTTSVILLE, PA. 17901

DATE: APRIL 14TH 2000.

PART IV. STATEMENT OF CLAIM CONTINUE

4. ONE DEFENDANT PUSHED THE DOOR OPEN GRABBING PLAINTIFF STEP-SON AROUND THE NECK SLAMMING HIM AGAINST THE WALL AS OTHER DEFENDANTS CAME IN BEHIND HIM RUNNING UP THE STAIRS TO WARDS PLAINTIFF.
5. DEFENDANT, GENE TRAY PUT THE CUFFS ON ME AS THE HAND CUFFS ON PLAINTIFF AS THE OTHER DEFENDANTS PROCEEDED IN SEARCHING MY HOUSE, 310 N. 12TH STREET POTTSVILLE, PA. 17901, FROM ROOM TO ROOM ALL THREE FLOORS AND BASEMENT.
6. NOT SAYING WHAT THEY WAS LOOKING FOR OR WHY PLAINTIFF WAS BEING HAND-CUFFED. ONE DEFENDANT CAME OUT OF MY (STEP-DAUGHTER) LACEY REAVES ROOM UP STAIRS ON THE THIRD FLOOR WITH PILLS, ASKING WHAT THEY WERE. PLAINTIFF GIRL FRIEND GINA ANDREWS SAID THEY WERE DIET PILLS AS SHE PUT CLOTHES AND SNEAKERS ON PLAINTIFF.
7. PLAINTIFF ASKED DEFENDANT WHAT THEY WERE LOOKING FOR AND WHY PLAINTIFF WAS BEING HAND CUFFED. DEFENDANT GENE TRAY SAID DON'T WORRY ABOUT IT WE HAVE A WARRANT FOR YOUR ARREST AFTER SEARCHING MY HOME.
8. SEE EXHIBITS (B)-(B.4) AND (C)-(C.5) CLEARLY SHOWS NO SEARCH WARRANT. DEFENDANTS PROCEEDED WITHOUT WARRANT FOR PLAINTIFF ARREST NOR READING OR ADVISING PLAINTIFF OF MIRANDA RIGHTS. PLAINTIFF WAS PUT IN PATROL CAR AND TRANSFERRED TO DEFENDANT 21-3-07 DISTRICT JUSTICE OFFICE.
9. LOCATION 200 N. CENTRE STREET POTTSVILLE, PA. 17901. WHERE PLAINTIFF HAD FOREGONE A PRELIMINARY ARRAIGNMENT ON DRUG CHARGES, THEN TAKEN TO DEFENDANT 21-3-02 DISTRICT JUSTICE OFFICE.
10. WHERE AS PLAINTIFF HAD ANOTHER PRELIMINARY ARRAIGNMENT ON DRUG CHARGES WHEREAS POLICE CRIMINAL COMPLAINT, AFFIDAVIT OF PROBABLE CAUSE, ARREST WARRANT WITHOUT ANY DRUG TASK FORCE MADE MONEY / ANY DRUGS AS EVIDENCE SEE EXHIBITS (B)-(B.4) AND (C.5) CLEARLY SHOWS PLAINTIFF HADN'T

PART IV. STATEMENT of CLAIM CONTINUE

COMMITTED ANY CRIMES.

11. PLAINTIFF THEREAFTER TRANSPORTED TO SCH CO. PRISON 230 SANDERSON STREET, POTTSVILLE PA. 17901.
12. DEFENDANT COMMONWEALTH OF PA. IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN FOR THE ACTIONS OF EMPLOYEES COMMITTED WHILE ACTING AS REPRESENTATIVES OF THE STATE OF PENNSYLVANIA, IN THIS DRUG RAID ON TUESDAY MARCH 30TH 1999.
13. HENCEFORTH, DEFENDANTS GOVERNOR OFFICE, GOVERNOR TOM RIDGE, ATTORNEY GENERAL OFFICE, ATTORNEY GENERAL MICHAEL FISHER, ATTORNEY GENERAL DEPUTY PRESS SECRETARY KEVIN F. HARLEY, ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATION OFFICE, ATTORNEY GENERAL REGIONAL DIRECTOR OF NARCOTIC INVESTIGATION STEVEN R. WHEELER, SENIOR DEPUTY ATTORNEY GENERAL LAWRENCE M. CHERBA ARE EMPLOYEES OF SAID DEFENDANT.
14. AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS ^{AND} / OR ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (7) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS AMENDMENTS
15. ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE ARTICLE FIFTEEN SECTION ONE ETC. AS WELL AS RIGHTS SET FORTH BY THE U. S. GOVERNMENT / PA LAW.
16. THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
17. DEFENDANT, GOVERNOR OFFICE OF PA., IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF GOVERNOR AND STATE OFFICES AND THE OVERSEEING OF THESE STATE OFFICES AS WELL AS EMPLOYEES ACTIONS IN THIS DRUG RAID.
18. HENCEFORTH, THIS DEFENDANT IS ~~IN THIS~~ DIRECTOR OF GOVERNOR TOM RIDGE, ATTORNEY GENERAL OFFICE, ATTORNEY GENERAL MICHAEL FISHER, ATTORNEY GENERAL DEPUTY PRESS SECRETARY KEVIN F. HARLEY, ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATIONS OFFICE.

PART IV. STATEMENT OF CLAIM CONTINUE

19. ATTORNEY GENERAL REGIONAL DIRECTOR OF NARCOTICS INVESTIGATION BUREAU STEVEN R. WHEELER, SENIOR DEPUTY ATTORNEY GEN. LAWRENCE M. CHERBA AND IS THEREFORE RESPONSIBLE FOR DEFENDANTS ACTIONS WHILE DEFENDANTS WAS ACTING AS STATE AGENCIES / AGENTS.
20. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS AND/OR ACTS COMMITTED IN EXHIBIT (A) THROUGH EXHIBITS (F) (17), COMPLAINT, IV STATEMENT OF CLAIM AND V RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS
21. ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PA LAWS.
22. THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
23. DEFENDANT, GOVERNOR TOM RIDGE IS THE GOVERNOR OF PA., THE SUPERINTENDANT OF GOVERNOR OFFICE AND IS LEGALLY RESPONSIBLE FOR THE OPERATION OF STATE AGENCIES IN THIS DRUG RAID ON TUESDAY, MARCH 30TH 1999.
24. HENCEFORTH, THIS DEFENDANT IS SUPERINTENDANT OF ATTORNEY GENERAL OFFICE OF PA; ATTORNEY GEN. MICHAEL FISHER; ATTORNEY GEN. DEPUTY PRESS SECRETARY, KEVIN F. HARLEY; ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION OFFICE; REGIONAL DIRECTOR OF ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION, STEVEN R. WHEELER; SENIOR DEPUTY ATTORNEY GEN. LAWRENCE M. CHERBA AND IS THEREFORE RESPONSIBLE FOR THERE ACTIONS, WHILE DEFENDANTS WAS ACTING AS STATE AGENCIES / AGENTS
25. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.
26. AMENDMENT ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS

PART IV STATEMENT OF CLAIM CONTINUED

SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.

27. ATTORNEY GENERAL OFFICE, IS LEGALLY RESPONSIBLE FOR THE ACTION OF ITS EMPLOYEES WITHIN AND FOR THE ACTIONS OF EMPLOYEES COMMITTED WHILE ACTING AS REPRESENTATIVES / AGENTS OF THE STATE ATTORNEY GENERAL OFFICE WHILE INVESTIGATING PLAINTIFF 5 MONTHS AS WELL AS PROSECUTING PLAINTIFF DURING THIS DRUG RAID ON TUESDAY MARCH 30TH 1999.
28. HENCEFORTH, DEFENDANTS ATTORNEY GEN. MICHAEL FISHER; ATTORNEY GEN. DEPUTY PRESS SECRETARY, KEVIN F. HARLEY; ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION OFFICE; REGIONAL DIRECTOR OF ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION, STEVEN R. WHEELER; SENIOR DEPUTY ATTORNEY GENERAL, LAWRENCE M. CHUBA ARE EMPLOYEES OF SAID DEFENDANT, AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS.
29. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A), THROUGH EXHIBIT (F) (17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.
30. AMENDMENTS: ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
31. DEFENDANT, ATTORNEY GEN. MICHAEL FISHER IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF EMPLOYEES WITHIN THE ATTORNEY GEN. OFFICE AND THE OVERSEEING OF THEIR ACTIONS, HENCEFORTH, THIS DEFENDANT IS THE SUPERINTENDANT OF KEVIN F. HARLEY, DEPUTY PRESS SECRETARY; ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION OFFICE; REGIONAL DIRECTOR OF NARCOTICS INVESTIGATION STEVEN R. WHEELER.
32. SENIOR DEPUTY ATTORNEY GEN. LAWRENCE M. CHUBA AND IS THEREFORTH RESPONSIBLE FOR THEIR ACTIONS THROUGHOUT THIS 13 MONTH INVESTIGATION AND PROSECUTION OF PLAINTIFF ON TUESDAY MARCH 30TH 1999. WHILE ACTING AS STATE AGENCIES / AGENTS

PART IV STATEMENT OF CLAIM CONTINUE

33. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENT REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (7), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS:
34. AMENDMENTS ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS. THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
35. DEFENDANT ATTORNEY GEN. DEPUTY PRESS SECRETARY, KEVIN F. HARLEY IS AND AGENT OF PRESS FOR ATTORNEY GEN. OFFICE DEFENDANT DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBIT (F) (7), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF WILLFULLY SHOWING THROUGHOUT THE INVESTIGATION AND PROSECUTION OF PLAINTIFF,
36. THAT THEY VIOLATED PLAINTIFF CONSTITUTION RIGHTS, AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN, ARTICLE FIFTEEN SECTION ONE
37. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
38. DEFENDANT, SENIOR DEPUTY ATTORNEY GEN. LAWRENCE M. CHERBA IS AND AGENT OF PROSECUTION FOR THE ATTORNEY GEN OFFICE. DEFENDANT DID, IN FACT PROSECUTE PLAINTIFF IN DRUG RAID CASES KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS AND ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (7) COMPLAINT IV STATEMENT OF CLAIM AND RELIEF
39. WILLFULLY SHOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE
40. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.

PART IV STATEMENT OF CLAIM CONTINUE

41. DEFENDANTS ATTORNEY GEN. BUREAU OF NARCOTICS INVESTIGATION OFFICE IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF IT EMPLOYEES HIRED WITHIN AND FOR THE ACTIONS OF EMPLOYEES COMMITTED WHILE ACTING AS REPRESENTATIVES, AGENTS OF THE BUREAU OF NARCOTICS INVESTIGATION OFFICE
42. WHILE INVESTIGATION WAS FORMED 5 MONTH BEFORE DRUG RAID ON TUESDAY MARCH 30TH 1999. HENCEFORTH, DEFENDANT STEVEN R. WHEELER IS EMPLOYEED BY SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS.
43. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND IV RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.
44. AMENDMENTS: ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT, PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
45. REGIONAL DIRECTOR OF ATTORNEY GENERAL BUREAU OF NARCOTICS INVESTIGATION, STEVEN R. WHEELER, IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF BUREAU OF NARCOTICS INVESTIGATIONS WITHIN THE BUREAU OF NARCOTICS INVESTIGATIONS AND THE OVERSEEING OF HIS SUBORDINATES FOR 5 MONTHS OF INVESTIGATION ON PLAINTIFF.
46. SHOWS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY MARCH 30TH 1999. HENCEFORTH, DEFENDANT IS RESPONSIBLE FOR HIS ACTIONS, DEFENDANT DID, IN FACT INVESTIGATE PLAINTIFF BEFORE DRUG RAID, KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN
47. EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND IV RELIEF, WILLFULLY SHOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS. AMENDMENT ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.

PART III STATEMENT OF CLAIM CONTINUE

48. DEFENDANT COUNTY OF SCHUYLKILL, IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN AND FOR THE ACTIONS OF EMPLOYEES COMMITTED WHILE ACTING AS REPRESENTATIVES, AGENCIES / AGENTS OF THE COUNTY OF SCH. WHILE INVESTIGATING AND PROSECUTING PLAINTIFF FOR 13 MONTHS, WHEREAS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY, MARCH 30TH 1999. AND JAILED.
49. HENCEFORTH, DEFENDANTS, COUNTY OF SCH. COMMISSIONERS OFFICE, COMMISSIONER OF SCH., FORREST I. SHADLE; COMMISSIONER OF SCH. JEROM P. KNOWLES; COMMISSIONER OF SCH., STANLEY H. TOBASH; COUNTY OF SCH. DRUG TASK FORCE OFFICE; CO. OF SCH. DRUG TASK FORCE OFFICER, ROBERT W. PHILLIPS; COUNTY OF SCH. DRUG TASK FORCE OFFICER, ROBERT BRUCE; CO. OF SCH., DRUG TASK FORCE OFFICER JEFF WALCOT.
50. COUNTY OF SCH. DISTRICT JUSTICE OFFICE, DISTRICT #21-3-02; CO. OF SCH. DISTRICT JUSTICE OFFICE, DISTRICT #21-3-07; CO. OF SCH. DISTRICT ATTORNEY OFFICE; CO. OF SCH. DISTRICT ATTORNEY, CLAUDE A. LORD SHIELDS; CO. OF SCH. FIRST ASSISTANT DISTRICT ATTORNEY, CHARLES BRESSI; CO. OF SCH. ASSISTANT DISTRICT ATTORNEY, LEO BREZNIK; CO. OF SCH. SHERIFF OFFICE; CO. OF SCH. SHERIFF, FRANCIS V. MC ANDREWS.
51. IS EMPLOYED BY SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS, DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND IV RELIEF.
52. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS, AMENDMENT ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
53. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENTS / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.

PART IV STATEMENT OF CLAIM CONTINUE

54. COUNTY OF SCHUYLKILL COMMISSIONER(S) OFFICE, IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN, AND FOR THE ACTIONS OF EMPLOYEES COMMITTEE WHILE ACTING AS COMMISSIONER(S) OF SCH. CO. AS PLAINTIFF WAS BEING INVESTIGATIONS AND PROSECUTED FOR 13 MONTHS.
55. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY MARCH 30TH 1999 AND JAILED. HENCEFORTH DEFENDANTS COMMISSIONER OF SCH. CO. FORREST I. SHADLE, COMMISSIONER JEROM P. KNOWLES, COMMISSIONER OF SCH. CO., STANLEY H. TOBASH IS EMPLOYED BY SAID DEFENDANT, AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS DEFENDANT.
56. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS REMARKS STATEMENTS / ACTS COMMITTED IN EXHIBITS (A), THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.
57. AMENDMENTS: ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN, SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
58. DEFENDANT, COMMISSIONER OF SCH. CO., FORREST I. SHADLE, RESPONSIBLE FOR THE OVERALL OPERATIONS OF EMPLOYEES WITHIN SCH. CO. COMMISSIONERS OFFICE AND THE OVERSEING OF COMMISSIONER(S) OF SCHUYLKILL COUNTY AS PLAINTIFF WAS BEING INVESTIGATED AND PROSECUTED FOR 13 MONTHS.
59. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY, MARCH 30TH AND JAILED. HENCEFORTH DEFENDANTS COMMISSIONER JEROM P. KNOWLES, COMMISSIONER STANLEY H. TOBASH IS EMPLOYED BY SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS.
60. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS, / ACTS COMMITTED IN EXHIBITS (A), THROUGH (F) 17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF, KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.

PART IV STATEMENT OF CLAIM CONTINUE

61. AMENDMENTS: ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
62. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
63. DEFENDANT, COMMISSIONER OF SCH. CO. JEROM P. KNOWLES IS AND OFFICIAL OF SCH. CO. COMMISSIONERS OFFICE, DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17). COMPLAINT IV STATEMENT OF CLAIM AND IV RELIEF.
64. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
65. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENTS / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
66. DEFENDANT, CO. OF SCH., STANLEY H. TOBASH IS AND OFFICIAL OF SCH. CO. COMMISSIONER OFFICE DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND IV RELIEF.
67. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS; AMENDMENTS ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
68. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENTS / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.

PART III STATEMENT OF CLAIM CONTINUE

69. DEFENDANT COUNTY OF SCHUYLKILL DRUG TASK FORCE OFFICE IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN, WHILE ACTING AS AGENTS / OFFICERS IN CO. OF SCH. DRUG TASK FORCE OFFICE, AS PLAINTIFF WAS BEING INVESTIGATED AND PROSECUTED FOR 13 MONTHS.
70. WHEREAS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY, MARCH 30TH 1999 AND JAILED. HENCEFORTH DEFENDANTS, ROBERT W. PHILLIPS, ROBERT BRUCE, JEFF WALCOT, DWIGHT DUCKETT ARE ALL EMPLOYEES OF SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS.
71. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A), THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF
72. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
73. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENTS / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
74. DEFENDANT, CO. OF SCH. DRUG TASK FORCE OFFICER, ROBERT W. PHILLIPS, IS AND OFFICER / AGENT OF SCH. CO. DRUG TASK FORCE, DID IN FACT, KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING FROM A 5 MONTH INVESTIGATION AND DRUG RAID ON TUESDAY, MARCH 30TH ALSO 8 MONTHS OF PROSECUTION AFTER DRUG RAID.
75. WHEREAS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED AND JAILED DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A), THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS.

PART IV STATEMENT OF CLAIM CONTINUE

76. AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
77. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
78. DEFENDANT, CO. OF SCH. DRUG TASK FORCE OFFICER, ROBERT BRUCE, IS AN OFFICE / AGENT OF SCH. CO DRUG TASK FORCE, DID IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING ACTS FROM A 5 MONTH INVESTIGATION AND DRUG RAID ON TUESDAY, MARCH 30TH ALSO 8 MONTHS OF PROSECUTION AFTER DRUG RAID.
79. WHEREAS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED AND JAILED, DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A), THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM, AND V RELIEF.
80. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS.
81. SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
82. DEFENDANT, CO. OF SCH. DRUG TASK FORCE OFFICER, JEFF WALCOT, IS AN OFFICE / AGENT OF SCH. CO. DRUG TASK FORCE, DID IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING ACTS FROM A 5 MONTH INVESTIGATION AND DRUG RAID ON TUESDAY, MARCH 30TH ALSO 8 MONTHS OF PROSECUTION AFTER DRUG RAID.

PART IV STATEMENT OF CLAIM CONTINUE

83. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED AND JAILED. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM, AND V RELIEF.
84. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS: ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE AS WELL AS RIGHTS.
85. SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS. THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
86. DEFENDANT CO. OF SCH. DISTRICT JUSTICE OFFICE, DISTRICT #21-3-02, IS LEGALLY RESPONSIBLE FOR ALL ACTIONS BY EMPLOYEES HIRED WHILE SUCH PERSON IS ACTING FOR DISTRICT #21-3-02. HENCEFORTH JAMES REILEY IS EMPLOYED BY SAID DEFENDANT DISTRICT #21-3-02.
87. THUS PLACING DEFENDANT RESPONSIBLE FOR JUDGE JAMES REILEY ACTS, DID INFACT, KNOWINGLY AND WILLINGLY FROM A 5 MONTH INVESTIGATION AND DRUG RAID ON TUESDAY, MARCH 30TH 1999, ALSO 8 MONTHS OF PROSECUTION FOLLOWING DRUG RAID.
88. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED AND JAILED DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS;
89. AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.

PART IV STATEMENT OF CLAIM CONTINUE

90. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
91. DEFENDANT COUNTY OF SCHUYLKILL DISTRICT JUSTICE OFFICE, DISTRICT NO# 21-3-07, IS LEGALLY RESPONSIBLE FOR ALL ACTIONS BY EMPLOYEES HIRED WHILE SUCH PERSON IS ACTING FOR DISTRICT #21-3-07. HENCEFORTH CHARLES V. MORAN IS EMPLOYED BY SAID DEFENDANT DISTRICT #21-3-07.
92. THUS PLACING DEFENDANT RESPONSIBLE FOR JUDGE CHARLES V. MORAN ACTS, DID IN FACT, KNOWINGLY AND WILLINGLY FROM A 5 MONTH INVESTIGATION AND DRUG RAID ON TUESDAY MARCH 30TH 1999, ALSO, 8 MONTHS OF PROSECUTION FOLLOWING DRUG RAID.
93. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED AND JAILED. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND RELIEF V.
94. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS. AMENDMENTS, ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
95. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENTAL INSTITUTIONS.
96. COUNTY OF SCHUYLKILL DISTRICT ATTORNEY OFFICE, DEFENDANT IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN, WHILE ACTING AS REPRESENTATIVES OF CO. OF SCH. DISTRICT ATTORNEY OFFICE.
97. HENCEFORTH DEFENDANTS CLAUDE A. LORD SHIELDS, CHARLES BRESSI AND LEO BREZNIK ARE ALL EMPLOYEES OF SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS AS PLAINTIFF WAS BEING INVESTIGATED AND PROSECUTED FOR 13 MONTHS

PART III STATEMENT OF CLAIM CONTINUE

98. WHERE AS PLAINTIFF DID NO WRONG, BUT WAS ARRESTED ON TUESDAY, MARCH 30TH 1999 AND JAILED. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT III STATEMENT OF CLAIM AND IV RELIEF.
99. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
100. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENTS / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
101. DEFENDANT, SCH. CO. DISTRICT ATTORNEY, CLAUDE A. LORD SHIELD IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF EMPLOYEES HIRED WITHIN THE SCH. CO. DA. OFFICE, AND THE OVERSEEING OF ASSISTANT D.A.(S) CHARLES BRESSI AND LEO BREZNIK ACTIONS IN D.A. OFFICE.
102. HENCEFORTH, THIS DEFENDANT IS HELD ACCOUNTABLE FOR THEIR ACTIONS AS DISTRICT ATTORNEY OFFICE PROSECUTED FOR 8 MONTHS. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBIT (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
103. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
104. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATE GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
105. DEFENDANT, CO. OF SCH. FIRST ASSISTANT DISTRICT ATTORNEY, CHARLES BRESSI, IS AND EMPLOYEE OF THE D.A. OFFICE WHILE PROSECUTING PLAINTIFF FOR 8 MONTHS.

PART IV STATEMENT OF CLAIM CONTINUE

106. DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (7), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
107. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
108. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
109. DEFENDANT, CO. OF ~~SCH.~~ SCH. ASSISTANT DISTRICT ATTORNEY LEO BREZNIK, IS AND EMPLOYEE OF THE D.A. OFFICE, WHO PROSECUTING PLAINTIFF FOR 8 MONTHS.
110. DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (7), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
111. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS: AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
112. AS WELL AS RIGHTS SET FORTH BY UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
113. DEFENDANT, COUNTY OF SCHUYLKILL SHERIFFS OFFICE, IS LEGALLY RESPONSIBLE FOR THE EMPLOYEES HIRED WITHIN AND THEIR ACTIONS AS OFFICERS. HENCEFORTH, DEFENDANT FRANCIS V. MC ANDREWS IS AND EMPLOYEE OF COUNTY OF SCH. SHERIFFS OFFICE / DEPARTMENT.

PART IV STATEMENT OF CLAIM CONTINUE

114. MAKING THIS DEFENDANT HELD ACCOUNTABLE FOR ACTION OF EMPLOYEES WITH IN WHO WAS PART OF THIS DRUG RAID AND INVESTIGATION OF PLAINTIFF 5 MONTHS BEFORE ARRESTING AND JAILING OF PLAINTIFF TUESDAY MARCH 30TH 1999.
115. DEFENDANT DID IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS / REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (17), COMPLAINT ~~III~~ STATEMENT OF CLAIM AND ~~IV~~ RELIEF.
116. KNOWINGLY THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS; AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN, SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
117. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
118. DEFENDANT, COUNTY OF SCH. SHERIFF V. MCANDREWS, IS EMPLOYED BY SCH. CO. SHERIFF OFFICE / DEPARTMENT AND DID PARTICIPATE IN INVESTIGATING PLAINTIFF IN THE DRUG RAID ON TUESDAY MARCH 30TH 1999, WHERE AS PLAINTIFF WAS ARRESTED AND JAILED.
119. DEFENDANT, DID IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) (17), COMPLAINT ~~III~~ IV STATEMENT OF CLAIM AND ~~IV~~ RELIEF.
120. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS; AMENDMENT; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
121. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.

PART IV STATEMENT OF CLAIM CONTINUED

122. DEFENDANT, CITY OF POTTSVILLE, IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN A THE ACTIONS OF EMPLOYEES COMMITTED WHILE ACTING AS REPRESENTATIVES, AGENCIES, AGENTS, OFFICE DEPARTMENTS, OFFICES OF THE CITY OF POTTSVILLE.
123. WHILE AS PLAINTIFF WAS BEING INVESTIGATED AND PROSECUTED FOR 13 MONTHS, WHERE AS PLAINTIFF DID WRONG, BUT WAS ARRESTED ON TUESDAY MARCH 30 1999, AND JAILED.
124. HENCEFORTH, DEFENDANT, MAYOR OFFICE; MAYOR, TERE P. REILEY; POTTSVILLE BUREAU OF POLICE; POTTSVILLE CHIEF OF POLICE, DALE REPP; POTTSVILLE POLICE CAPTAIN, MICHAEL O'TOOLE; POTTSVILLE POLICE OFFICER, CPL. MARLIN J. REE; POTTSVILLE POLICE OFFICER, RICHARD F. WIDJCIECHOW; POTTSVILLE POLICE D.T. OFFICER, GENE TRAY.
125. POTTSVILLE HOUSING AUTHORITY; POTTSVILLE REPUBLIC AND EVENING HERALD; CITY COUNCILMAN OF POTTSVILLE OFFICE; CITY COUNCILMAN, MICHAEL P. HALCOVAGE; CITY COUNCILMAN, JAMES M. SHIELDS; CITY COUNCILMAN LAWRENCE J. LONERGAN; CITY COUNCILMAN, DR. ARTHUR I. HARRIS III; CI-158-98, DWIGHT DUCKETT.
126. ARE EMPLOYEED BY SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, MARKS, STATEMENTS AND/OR ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT II STATEMENT OF CLAIM AND V RELIEF.
127. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS. AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
128. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTS / GOVERNMENT

PART IV STATEMENT OF CLAIM CONTINUE

129. DEFENDANT, CITY OF POTTSVILLE MAYOR OFFICE, IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF ITS EMPLOYEES HIRED WITHIN CITY OF POTTSVILLE MAYOR OFFICE. HENCEFORTH DEFENDANT TERENCE P. REILEY IS AND WAS EMPLOYED BY SAID DEFENDANT.
130. AND IS HELD ACCOUNTABLE FOR THE ACTIONS OF ITS EMPLOYEES WITHIN WHO WAS PART OF THIS DRUG RAID AND INVESTIGATION OF PLAINTIFF 5 MONTHS BEFORE ARRESTING AND JAILING OF PLAINTIFF TUESDAY MARCH 30TH 1999.
131. DEFENDANT DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF
132. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS AMENDMENTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE
133. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
134. DEFENDANT, CITY OF POTTSVILLE MAYOR, TERENCE P. REILEY, IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF EMPLOYEES HIRED WITHIN THE MAYOR(S) OFFICE AND THE OVERSEEING OF MAYOR OFFICE. HENCEFORTH, THIS DEFENDANT IS HELD ACCOUNTABLE FOR ACTIONS OF MAYOR AS PLAINTIFF WAS INVESTIGATED AND PROSECUTED FOR 13 MONTHS.
135. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
136. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN

PART IV STATEMENT OF CLAIM CONTINUE

SECTION ONE,

137. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS, ETC.
138. DEFENDANT, CITY OF POTTSVILLE BUREAU OF POLICE IS LEGALLY RESPONSIBLE FOR THE ACTIONS OF EMPLOYEES HIRED WITHIN AS OFFICERS / AGENTS OF POTTSVILLE BUREAU OF POLICE DEPARTMENT, AS PLAINTIFF WAS BEING INVESTIGATED AND PROSECUTED FOR 13 MONTHS, WHEREA PLAINTIFF WAS ARRESTED ON TUESDAY MARCH 30TH 1999 AND JAILED
139. HENCE FORTH, DEFENDANTS CHIEF DALE REPP; CAPTAIN MICHAEL O'TOOLE; CPL. MARLIN J. REED; RICHARD F. WOJCIECHOWSKY; GENE TRAY; DWIGHT DUCKETT C.I.-158-98, ARE ALL EMPLOYEES OF SAID DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS.
140. DEFENDANT KNEW AND SHOULD HAVE KNOWN FROM THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
141. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS: ARTICLE ONE ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
142. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
143. DEFENDANT, CITY OF POTTSVILLE BUREAU OF POLICE CHIEF, DALE REPP, IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS OF THE POTTSVILLE BUREAU OF POLICE DEPARTMENT AND THE ACTIONS OF ALL EMPLOYEES HIRED WITHIN. HENCE FORTH, DEFENDANT, CPL. MARLIN J. REED; CAPTAIN MICHAEL O'TOOLE; RICHARD F. WOJCIECHOWSKY; GENE TRAY; DWIGHT DUCKETT, CI-158-98 ARE EMPLOYEED BY SAID DEFENDANT.

PART IV STATEMENT OF CLAIM CONTINUE

144. THIS DEFENDANT IS ACCOUNTABLE FOR THE ACTIONS OF EMPLOYEES HIRED WITHIN POTTSVILLE POLICE DEPARTMENT AS PLAINTIFF WAS INVESTIGATED AND PROSECUTED FOR 13 MOS WHERE AS PLAINTIFF WAS ARRESTED AND JAILED, TUESDAY, MARCH 30TH 1999.
145. DEFENDANT DID IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
146. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENTS RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
147. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
148. DEFENDANT, CITY OF POTTSVILLE POLICE OFFICER / AGENT CAPTAIN MICHAEL O'TOOLE IS LEGALLY RESPONSIBLE FOR INVESTIGATING AND ARRESTING THE PLAINTIFF WHEREAS PLAINTIFF WAS JAILED TUESDAY, MARCH 30TH 1999.
149. DEFENDANT, DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
150. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
151. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.

PART IV STATEMENT OF CLAIM CONTINUE

152. DEFENDANT, CITY OF POTTSVILLE POLICE OFFICER / AGENT, CPl. MARLIN J. REED, IS LEGALLY RESPONSIBLE FOR INVESTIGATING AND ARRESTING PLAINTIFF WHEREAS PLAINTIFF WAS JAILED TUESDAY, MARCH 30TH 1999.
153. DEFENDANT DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT ~~IV~~ STATEMENT OF CLAIM AND ~~IV~~ RELIEF.
154. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE ~~FIFTEEN~~ SECTION ONE.
155. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
156. DEFENDANT, CITY OF POTTSVILLE POLICE OFFICER / AGENT, RICHARD F. WOJCIECHOWSKY, IS LEGALLY RESPONSIBLE FOR INVESTIGATING AND ARRESTING PLAINTIFF WHEREAS PLAINTIFF WAS JAILED ~~TUESDAY~~, MARCH 30TH 1999.
157. DEFENDANT DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17) COMPLAINT ~~IV~~ STATEMENT OF CLAIM AND ~~IV~~ RELIEF.
158. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE ~~FIFTEEN~~ SECTION ONE.
159. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
160. DEFENDANT, CITY OF POTTSVILLE POLICE OFFICER / AGENT, GENE TRAY, IS LEGALLY RESPONSIBLE FOR INVESTIGATING AND ARRESTING PLAINTIFF WHEREAS PLAINTIFF WAS JAILED

PART IV STATEMENT OF CLAIM CONTINUE

TUESDAY, MARCH 30TH 1999.

161. DEFENDANT DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
162. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
163. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
164. DEFENDANT, CITY OF POTTSVILLE OFFICER / AGENT, DWIGHT DUCKETT, CI-158-98, IS LEGALLY RESPONSIBLE FOR FALSE REPORTS, TAINTED FALSE EVIDENCE, THROUGHOUT THIS INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS. WHEREAS PLAINTIFF WAS ARRESTED AND JAILED, TUESDAY, MARCH 30TH 1999.
165. DEFENDANT DID, IN FACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
166. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
167. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.

PART IV STATEMENT OF CLAIM CONTINUE

168. DEFENDANT, CITY OF POTTSVILLE, HOUSING AUTHORITY, IS LEGALLY RESPONSIBLE FOR FALSE INFORMATION, TAINTED EVIDENCE, THROUGHTOUT THIS INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS AS WELL AS MONTHS BEFORE THIS INVESTIGATION WHERE AS PLAINTIFF GIRL FRIEND FOR 12 YEARS GINA ANDREWS WAS PUT OUT HER APARTMENT, 661 JOHN O'HARA ST,
169. POTTSVILLE, PA. 17901. BECAUSE PLAINTIFF WAS BARRIED OUT OF ALL HOUSING AUTHORITY DEVELOPMENT DEFENDANT, DID, INFAC KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COM-PLAINT IV STATEMENT OF CLAIM AND V RELIEF.
170. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
171. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
172. DEFENDANT, THE POTTSVILLE REPUBLICAN AND EVENING HERALD, IS LEGALLY RESPONSIBLE FOR SLANDER IN MY NAME PRINTING FALSE REPORTS, TAINTED EVIDENCE, ETC! THROUGHT OUT THE ARREST OF PLAINTIFF AS WELL AS PROSECUTION WITHOUT INVESTIGATING ANY REPORTS / EVIDENCE TOWARDS PLAINTIFF.
173. DEFENDANT, DID, INFAC KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
174. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.

PART IV STATEMENT OF CLAIM CONTINUE

175. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
176. DEFENDANT, CITY OF POTTSVILLE COUNCILMAN OFFICE, IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATIONS AND ACTIONS OF EMPLOYEES HIRED WITHIN THE CITY OF POTTSVILLE.
177. HENCEFORTH, DEFENDANTS COUNCILMAN, MICHAEL P. HALCOVAGE; JAMES M. SHEIDS, COUNCILMAN; COUNCILMAN, LAWRENCE J. IONERGAN; COUNCILMAN, DR ARTHUR L. HARRIS III; CITY OF POTTSVILLE BUREAU OF POLICE DEPARTMENT; CITY OF POTTSVILLE HOUSING AUTHORITY ARE EMPLOYEED BY THIS DEFENDANT AND IS HELD ACCOUNTABLE FOR THEIR ACTIONS WITHIN THE CITY OF POTTSVILLE.
178. DEFENDANT, DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACT COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COM PLAIN IV STATEMENT OF CLAIM AND RELIEF V.
179. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
180. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
181. DEFENDANT, CITY COUNCILMAN OF POTTSVILLE, MICHAEL P. HALCOVAGE, IS A EMPLOYEE OF CITY COUNCILMAN OFFICE, HENCEFORTH MAKING HIS PERSON HELD ACCOUNTABLE FOR HIS ACTIONS AND OTHER DEFENDANTS IN THE INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS. WHEREAS PLAINTIFF WAS ARRESTED AND JAID, TUESDAY, MARCH 30TH 1999.

PART IV STATEMENT OF CLAIM CONTINUE

182. DEFENDANT, DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM AND RELIEF V.
183. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
184. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
185. DEFENDANT, CITY COUNCILMAN OF POTTISVILLE, JAMES M. SHIELDS, IS LEGALLY A EMPLOYEE OF CITY COUNCILMAN OFFICE HENCEFORTH MAKING HIS PERSON HELD ACCOUNTABLE FOR HIS ACTIONS AND OTHER DEFENDANTS IN THE INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS. WHEREAS PLAINTIFF WAS ARRESTED AND JAILED, TUESDAY MARCH 30TH 1999.
186. DEFENDANT, DID INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17), COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
187. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
188. AS WELL AS RIGHTS SECURED, SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED, THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTION.

PART IV STATEMENT OF CLAIM CONTINUE

189. DEFENDANT, CITY COUNCILMAN OF POTTSVILLE, LAWRENCE J. IONERGAN, IS A EMPLOYEE OF CITY COUNCILMAN OFFICE. HENCE FORTH MAKING HIS PERSON HELD ACCOUNTABLE FOR HIS ACTIONS AND OTHER DEFENDANTS IN THE INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS WHERE AS PLAINTIFF WAS ARRESTED AND JAILED, TUESDAY MARCH 30TH 1999.
190. DEFENDANT, DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
191. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.
192. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
193. DEFENDANT, CITY COUNCILMAN OF POTTSVILLE, DR. ARTHUR HARRIS III, IS A EMPLOYEE OF CITY COUNCILMAN OFFICE. HENCE FORTH MAKING HIS PERSON HELD ACCOUNTABLE FOR HIS ACTIONS AND OTHER DEFENDANTS IN THE INVESTIGATION AND PROSECUTION OF PLAINTIFF FOR 13 MONTHS WHERE AS PLAINTIFF WAS ARRESTED AND JAILED, TUESDAY MARCH 30TH 1999.
194. DEFENDANT, DID, INFACT KNOWINGLY AND WILLINGLY MAKE THE FOLLOWING COMMENTS, REMARKS, STATEMENTS / ACTS COMMITTED IN EXHIBITS (A) THROUGH EXHIBITS (F) 17, COMPLAINT IV STATEMENT OF CLAIM AND V RELIEF.
195. KNOWING THAT THEY VIOLATED PLAINTIFF CONSTITUTIONAL AMENDMENT RIGHTS; ARTICLE ONE, ARTICLE THREE, ARTICLE FOUR, ARTICLE FIVE, ARTICLE SIX, ARTICLE EIGHT, ARTICLE TEN, ARTICLE FOURTEEN SECTION ONE, ARTICLE FIFTEEN SECTION ONE.

PART IV STATEMENT OF CLAIM CONTINUE

196. AS WELL AS RIGHTS SET FORTH BY THE UNITED STATES GOVERNMENT / PENNSYLVANIA LAWS, THUS DENYING PLAINTIFF RIGHTS SECURED THERE OF UNDER THE DUE PROCESS CLAUSE OF SAID DOCUMENTAL INSTITUTIONS.
197. DEFENDANTS ARE HELD ACCOUNTABLE FOR ACTIONS AGAINST PLAINTIFF KNOWINGLY AND WILLINGLY WITH MALICIOUS PROSECUTION, FALSE INFORMATION, FALSE OBSERVATIONS, FALSE REPORTS / FALSE STATEMENTS, REGARDING PLAINTIFF ALLEGED PARTICIPATION IN THE ALLEGED OFFENSES, HARASSMENT OF PAST CASES #657, 1995; #156, 1999 WHICH RESULTED IN DISMISSED CHARGES ETC.
198. RESULTING IN DEFAMATION OF CHARACTER, HARASSMENT SLANDER, FALSE IMPRISONMENT, ILLEGALLY SEARCH OF PLAINTIFF HOME (WITHOUT SEARCH WARRANTS) MENTAL AND PHYSICAL STRESS, MENTAL AND PHYSICAL CRUELTY.
99. WILLFULLY SHOWING GROSS DISREGARD OF PLAINTIFF RIGHTS DEPRIVED OF BY STATE OF PA.; CO. OF SCH. AND CITY OF POTTSVILLE LAWS AS WELL AS PLAINTIFF CONSTITUTIONAL RIGHTS.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE OR INFORMATION AND BELIEF.

DATE: 14TH DAY OF APRIL, 2000.
SAMUEL E. PULLINS
Samuel E. Pullins

#010381

SAMUEL E. PULLINS
230 SANDERSON STREET
POTTSVILLE, PA. 17901

PART V RELIEF CONTINUE

- (3) A) THIS MOTION IS BASED ON PLAINTIFF AFFIDAVIS IN SUPPORT OF THEIR MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR APPOINTMENT OF COUNSEL, LEGAL AUTHORITY FOR APPOINTMENT AND COMPENSATION OF COUNSEL IS 28 U.S.C. SEC 1915(d) AND 18 U.S.C. SEC. 3006 A(G), AS INTERPRETED IN MC CLAIN VS. MANSON, 343 F. Supp. 382 (D. CONN. 1972).
4. A DECLARATORY JUDGEMENT THAT THE DEFENDANTS ACTS, POLICIES AND PRACTICES DESCRIBED HERE IN VIOLATE PLAINTIFF RIGHTS UNDER THE UNITED STATES CONSTITUTION.
5. A PRELIMINARY AND PERMANENT INJUNCTION WHICH:
A) PROHIBIT DEFENDANTS, THEIR AGENTS, EMPLOYEES, SUCCESSORS IN OFFICE AND ALL OTHER PERSONS IN ACTIVE CONCERT AND PARTICIPATION WITH THEM FROM HARASSING, THREATING PUNISHING OR RETALIATING IN ANY WAY AGAINST ANY PLAINTIFF BECAUSE HE OR SHE FILED THIS ACTION OR AGAINST ANY PERSON BECAUSE THEY SUBMITTED AFFIDAVITS IN THIS CASE ON BEHALF OF THE PLAINTIFF.
6. COMPENSATORY DAMAGES IN THE AMOUNT OF \$200,000 FROM ALL DEFENDANTS AND EACH OF THEM, TO PLAINTIFF SAMUEL E. PULLINS.
7. PUNITIVE DAMAGES IN THE AMOUNT OF \$200,000 FROM ALL DEFENDANTS AND EACH OF THEM, TO PLAINTIFF SAMUEL E. PULLINS.
8. A TRIAL BY JURY ON ALL ISSUES TRIABLE BY JURY.
9. PLAINTIFF COST OF THIS SUIT.
10. SUCH OTHER END FURTHER RELIEF AS THIS COURT MAY DEEM JUST, PROPER AND EQUITABLE.

PART IV RELIEF CONTINUE

DATE: 14TH DAY OF APRIL, 2000.

RESPECTFULLY SUBMITTED,
SAMUEL E. PULLINS
Samuel E. Pullins
IN PROPIA PERSONAM

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY
VERIFY THAT THE MATTERS ALLEGED THEREIN ARE TRUE
EXCEPT AS TO MATTERS ALLEGED ON INFORMATION
BELIEF, AND, AS TO THOSE, I BELIEVE THEM TO BE
TRUE. I CERTIFY UNDER PENALTY OF PERJURY THAT
THE FOREGOING IS TRUE AND CORRECT.
EXECUTED AT SCH. CO. PRISON, 230 SANDER
SON ST, POTTSVILLE, PA. 17901.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PLAINTIFF
#010381
SAMUEL E. PULLINS
230 SANDERSON ST.
POTTSVILLE, PA. 17901

FULL NAME OF PERSON MAKING THE STATEMENT
HEREBY DECLARES: Gina M. Andrews
WRITE STATEMENT HERE:

Between 7:30 and 8:00 AM. On March 30th. THERE WAS A LOUD KNOCK at the front door. I heard my son at the door talking next thing I knew the door banged of the wall, Marques was yelling & then there was people running up the steps. I was in the bedroom getting dressed when 2 cops pulled Sam out of bed put him up against the wall cuffed him & told him he's under arrest for selling drugs. then a more cops ran past in the hallway up to the 3rd floor. I could hear them walking in & out the bedrooms they came down to me asking me who's room is in the front and what is this. He was holding my daughters vitamins. I told him it's my daughters room and they are her vitamins. My son Marques was downstairs crying I called to him I'm coming calm down. But first I had to put clothes on sam (pants & shoes) finally I calmed down abit it was then that I asked the officer where is the warrant to search my house. No one answered they just took sam out into the car.

I DECLARE UNDER PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT, EXECUTED AT (CITY
(STATE) ON (DATE) (ADDRESS AND SIGNATURE).

310 N. 12th St. Pottsville, Pa. 17901

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Plaintiff
#010381
SAMUEL E. PULLINS
230 SANDERSON ST.
POTTSVILLE, PA. 17901

FULL NAME OF PERSON MAKING THE STATEMENT
HEREBY DECLARES: Marques Reaves
WRITE STATEMENT HERE:

On Tuesday March 30th about 7:30-8:00 A.M. I was sitting at the table reading a magazine waiting to go to school. When I heard people talking outside, Then I heard them walking up the front steps. I started walking to the door to see who it was then they knocked loudly. I opened the door slowly to see who it was. They said is Samuel Pullins here? I said yes and they said "can we come in" I replied by saying no wait here ~~until~~ ^{until} I get him. And then I turned around and they rushed in quickly. Without showing me a warrant. And then I said ^{stop} ~~don't~~ you have to have a warrant? Don't you have to have a warrant to search somebody's house? One cop stayed at the bottom of the steps one at the door and another ran to the basement, and several others ran upstairs. Meanwhile I was still telling them they have to show me a warrant. I was about to go up stairs to go ~~get him~~ ^{get him} when the cop standing against the wall at the bottom of the steps shoved me hard over towards the table, and ~~he~~ ^{he} hurt my leg.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, EXECUTED AT (CITY) (STATE)
(ADDRESS AND SIGNATURE) 310 N. 12th St. Pottsville P.A. 17901

EXHIBITS (A)(1)

Marques Reaves



COMMONWEALTH OF
PENNSYLVANIA

COUNTY OF SCHUYLKILL

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody

DOB: 8/03/65 M BLACK

(Name):

PULLINS, SAMUEL E

(Address):

310 NORTH 12TH ST.
POTTSVILLE, PA 17901

If the defendant be found in said Commonwealth, and bring the defendant before us at

JAMES REILEY

200 NORTH CENTRE STREET
POTTSVILLE, PA 17901

to answer the Commonwealth or POTTSVILLE CITY

(Political Subdivision)

Upon the complaint or citation of O'TOOLE, MICHAEL
charged the defendant with 35 \$780-113 \$SA16

IN RE: POSS CONTR SUBST BY PER NOT REG
and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

18th day of March, 19 99

SEAL

(Signature)

Magisterial District No.: 21-3-07

Amount required to satisfy sentence:

Citation No.:

FILED: 3/16/99

Docket No.: CR-0000069-99

OTN: F 166562-4

Costs: \$
Other: \$
Total: \$

Amount needed to satisfy collateral: \$

Reason for warrant: FELONY

OPC 417-91

COPY : DEFENDANT

RETURN WHERE DEFENDANT
IS FOUND

By authority of this warrant 99
3/30, 19 99

☒ I took into custody the within named
SAMUEL E PULLINS

☐ He is now at liberty on bail posted
before _____

☐ in the _____ jail.

☒ before you for disposition.

☐ I accepted a guilty plea and
collected \$ _____

for fine and costs.

☐ I accepted a not guilty plea and
collected \$ _____

for collateral.

☐ I accepted the fine and costs due
in the amount of \$ _____

(Signature of Officer - Name & Title)

RETURN WHERE DEFENDANT

IS NOT FOUND

After careful search, I cannot find
the within named defendant

SIGNATURE _____

NAME _____

TITLE _____

WARRANT OF ARREST

WARRANT CONTROL NO.:

1882528

DOCKET NUMBER:

CR-0000069-99

COMMONWEALTH

OF

PENNSYLVANIA

VS.

PULLINS, SAMUEL E

OFFENSE DATE 11/13/98

CHARGE

35 \$780-113 \$SA16

I acknowledge that I am voluntarily
and knowingly pleading guilty. I paid
to the officer the fine and costs stated
in the warrant in the amount of

\$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily
and knowingly pleading not guilty.
I paid to the officer the collateral for
my appearance at trial stated in the
warrant in the amount of

\$ _____

(Defendant's Signature)

Officer's costs:

Warrant

Miles @

Commitments

Miles @

Conveying to hearing

Miles @

Total

Criminal Court Form No. 01

COMMONWEALTH OF PENNSYLVANIA

Vs.

Samuel E. Hillis

Defendant

Before District Justice James R. Kelley Docket No. CR-67-19

Date of Arrest or Process Prelim. Hg. set for 19.....

Offense(s) charged int poss contr subst transd/21/100 w int del (2)

District Justice

To Be Completed by Defendant:

Address 310 N 12th St Pottsville PA 17851 Phone 628-1730
No. Street Town State ZipYOU ARE ENTITLED TO BE REPRESENTED BY A LAWYER IN ALL PROCEEDINGS IN THIS CASE

Your Lawyer's Name Phone

Address

Have you contacted this lawyer? Did he agree to represent you?

If you have not contacted your lawyer, when will you contact him?

IF YOU FEEL YOU CANNOT AFFORD AN ATTORNEY OF YOUR CHOICE, YOU MAY BE ENTITLED TO THE SERVICES OF THE PUBLIC DEFENDER.Do you wish to apply for Public Defender Services? yes If "yes", you will shortly receive notice of an appointment for an interview which you will be required to keep.WHILE IT IS NOT ADVISABLE TO DO SO, YOU MAY WAIVE THE RIGHT TO BE REPRESENTED BY AN ATTORNEY.Is it your intention to waive the right to be represented by a lawyer? NODate: 30 19 99Samuel E. Hillis
DefendantThis form shall be completed in the office of the District Justice when the Defendant FIRST appears there and shall be forwarded IMMEDIATELY by the District Justice to the Court Administrator.

EXH.B.T-(B1)

COMMONWEALTH OF PENNSYLVANIA

SCHUYLKILL

POLICE
CRIMINAL COMPLAINT

Serial District Number: 21-3-07
 District Justice Name: Hon. JAMES K. REILEY
 Address: 200 NORTH CENTRE STREET
 POTTSVILLE PA 17901
 Telephone: (717) 622-9181

COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:

NAME and ADDRESS

SAMUEL E. PULLINS
 310 NORTH 12TH STREET
 POTTSVILLE, PA 17901

Docket No.: CR-69-99

Date Filed: 3/16/99

OTN: F 166562-4

Defendant's Race/Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. 08/03/1965	Defendant's Social Security Number 267-79-1910	Defendant's SID
Defendant's A.K.A. E	Defendant's Vehicle Information: Plate Number State Registration Sticker (MM/YY)		Defendant's Driver's License Number State PA, 23175854	
Complaint/Incident Number 10398-98T	Complaint/Incident Numbers if other Participants			UCR/NIBRS Code 181

District Attorney's Office ☐ Approved ☐ Disapproved because:

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing Pa.R.Cr.P. 107.)

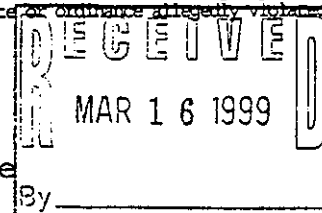
(Name of Attorney for Commonwealth - Please Print or Type) (Signature of Attorney for Commonwealth) (Date)
 I, MICHAEL J. O'TOOLE/ ROBERT W. PHILLIPS/ROBERT BRUCE, OAG 123/ 11 /BNI
 (Name of Affiant-Please Print or Type) (Officer Badge Number/I.D.)
 of SCHUYLKILL COUNTY DRUG TASKFORCE PA0540700 10398-98T
 (Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Originating Agency Case Number (OCA))
 do hereby state:(check the appropriate box)

1. ☒ I accuse the above named defendant, who lives at the address set forth above
☐ I accuse an defendant whose name is unknown to me but who is described as _____
☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have
 therefore designated as John Doe
 with violating the penal laws of the Commonwealth of Pennsylvania at 310 NORTH 12ST STREET
 POTTSVILLE, PA 5TH WARD (Place-Political Subdivision)
 in SCHUYLKILL County on or about 0154 HRS, 13 NOVEMBER, 1998
 Participants were: (if there were participants, place their names here, repeating the name of the above defendant)
 SAMUEL E. PULLINS

2. The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Act 64 The Controlled Substance, Drug, Device and Cosmetic Act
 Section 13(a) Prohibited Acts; Penalties
 Sub Section 16 Possession of Controlled or Counterfeit Substance



IN THAT, on or about said date, THE DEFENDANT, SAMUEL E. PULLINS, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, nor a practitioner registered or licensed by the appropriate State Board, and not a valid prescription order or order of a practitioner, did knowingly or intentionally possess a controlled or counterfeit substance, NAMELY COCAINE, A SCHEDULE II CONTROLLED SUBSTANCE, in violation of Section 13(a) (16) of the PA Controlled Substance, Drug, Device and Cosmetic Act. (Act 64 13(a) (16))

EXHIBIT-(B.2)

Name: SAMUEL E. PULLINS

Ticket Number: CR-69-99

POLICE
CRIMINAL COMPLAINT

Act 64 The Controlled Substance, Drug, Device and Cosmetic Act
Section 13(a) Prohibited Acts; Penalties
Sub Section 30 Manufacture, Deliver, Possess With Intent To Deliver a
Controlled Substance

IN THAT, on or about said date, THE DEFENDANT, SAMUEL E. PULLINS, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, nor a practitioner registered or licensed by the appropriate State board, did knowingly possess with intent to deliver COCAINE, A SCHEDULE II CONTROLLED SUBSTANCE TO A CONFIDENTIAL INFORMANT, in violation of Section 13(a) (30) of Act 64, the PA Controlled Substance, Drug, Device and Cosmetic Act. (35 P.S. Act 64 13(a) (30))

Act 64 The Controlled Substance, Drug, Device and Cosmetic Act
Section 13(a) Prohibited Acts; Penalties
Sub Section 30 Manufacture, Deliver, Possess With Intent To Deliver a
Controlled Substance

IN THAT, on or about said date, THE DEFENDANT, SAMUEL E. PULLINS, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, nor a practitioner registered or licensed by the appropriate State board, did knowingly deliver COCAINE, A SCHEDULE II CONTROLLED SUBSTANCE TO A CONFIDENTIAL INFORMANT, in violation of Section 13(a) (30) of Act 64, the PA Controlled Substance, Drug, Device and Cosmetic Act. (35 P.S. Act 64 13(a) (30))

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1. <u>13</u> (Section)	(a) (16) (Sub-Section)	of the <u>Act 64</u> (PA Statute)	<u>1</u> (counts)
2. <u>13</u> (Section)	(a) (30) (Sub-Section)	of the <u>Act 64</u> (PA Statute)	<u>1</u> (counts)
3. <u>13</u> (Section)	(a) (30) (Sub-Section)	of the <u>Act 64</u> (PA Statute)	<u>1</u> (counts)
4. _____ (Section)	_____ (Sub-Section)	of the _____ (PA Statute)	_____ (counts)

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

3-15, 1999

[Signature]
(Signature of Affiant)

AND NOW, on this date March 18, 1999, I certify the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

21-3-07
(Magisterial District)

[Signature]
(Issuing Authority)

(Seal)

SEAL

Name: SAMUEL E. PULLINS
 Case Number: CR-69-99



POLICE
 CRIMINAL COMPLAINT

AFFIDAVIT of PROBABLE CAUSE

ON 13 NOVEMBER, 1998, THIS OFFICER AND OFFICER ROBERT PHILLIPS OF THE SCHUYLKILL COUNTY DRUG TASK FORCE RECEIVED INFORMATION THAT CI 158-98 COULD PURCHASE COCAINE FROM SAMUEL PULLINS.

CI 158-98 HAS BEEN A MEMBER OF THE DRUG CULTURE FOR A NUMBER OF YEARS AND THEREFORE HAS GAINED THE TRUST AND CONFIDENCE OF AREA DRUG DEALERS AND OTHER CRIMINALS, AND IS FAMILIAR WITH THOSE PERSONS AND THEIR OPERATIONS. THE CI HAS PROVIDED INFORMATION THAT WAS ALSO CONFIRMED BY THIS OFFICER AND OFFICER PHILLIPS, SCDTF. THE CI HAS ALSO PROVIDED INFORMATION ABOUT NAMES OF DRUG DEALERS, THEIR ADDRESSES, THE TYPES OF VEHICLE THEY DRIVE, TYPES OF DRUGS INVOLVED AND OTHER INTELLIGENCE INFORMATION WHICH HAS BEEN CONFIRMED THROUGH OTHER SOURCES AND INVESTIGATION. THE CI HAS PROVIDED INFORMATION AGAINST KEITH NIXON AND VICTOR NEWTON IN REFERENCE TO THEIR DRUG ACTIVITY. BOTH OF THESE INDIVIDUALS WERE ARRESTED AND CONTROLLED SUBSTANCES WERE SEIZED FROM THEM.

OFFICERS MET WITH CI AT 0145 HRS, 13 NOVEMBER, 1998, CI WAS SEARCHED, NO DRUGS WERE FOUND ON CI-158-98. CI -158-98 WAS GIVEN \$ 160.00 IN TASK FORCE MONEY.

CI WAS FOLLOWED TO 310 NORTH 12TH STREET POTTSVILLE, THE CI WENT INTO 310 NORTH 12TH STREET AT 0154 HRS, 13 NOVEMBER, 1998, AND LEFT THE HOUSE A FEW MINUTES LATER.

CI WAS FOLLOWED TO A PREDETERMINED LOCATION. THE CI WAS SEARCHED AND THE CI GAVE THIS OFFICER A PLASTIC BAG WITH WHITE ROCKS IN IT.

CI GAVE A STATEMENT THAT CI WENT TO 310 NORTH 12TH STREET POTTSVILLE AND GAVE SAMUEL PULLINS \$ 160.00 AND THEN PULLINS GAVE THE CI A PLASTIC BAG WITH WHITE ROCKS INSIDE, CI WAS TOLD BY PULLINS THAT THE CONTENTS WAS COCAINE.

THE POWDER WAS FIELD TESTED BY OFFICERS PHILLIPS AND HE RECEIVED POSITIVE INDICATION FOR COCAINE.

PHILLIPS RETAINED THE ROCKS AS EVIDENCE.

I, MICHAEL O'TOOLE/ROBERT PHILLIPS/AGENT ROBERT PHILLIPS SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

(Signature of Affiant)

Sworn to me and subscribed before me this 18th day of March, 1999.

3/18/99 Date J. M. Rensley, District Justice

My commission expires first Monday of January, 2000.

SEAL

EXHIBIT-(B-4)



COMMONWEALTH OF
PENNSYLVANIA

COUNTY OF SCHUYLKILL
To any authorized person: Det. Doug Take Joice

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody
DOB: 8/03/65 M BLACK
(Name): PULLINS, SAMUEL E
(Address): 310 N 12TH ST
POTTSVILLE, PA 17901

If the defendant be found in said Commonwealth, and bring the defendant before us at
CHARLES V MORAN
2276 W. MARKET STREET
(Address): POTTSVILLE, PA 17901-0000

to answer the Commonwealth or POTTSVILLE CITY
(Political Subdivision)

upon the complaint or citation of O'TOOLE, MICHAEL
charging the defendant with 35 \$780-113 SSA16
POSSESSION OF CONTROLLED SUBSTANCE
and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this
17th day of March, 1999

SEAL
(Signature)

Magisterial District No.: 21-3-02 Amount required to satisfy sentence:

Citation No.: 10398-98T Fine: \$
FILED: 3/16/99 Costs: \$
Docket No.: CR-0000091-99 Other: \$
OTN: F 032619-6 Total: \$

Amount needed to satisfy collateral: \$

Reason for warrant: FELONY
COPY : DEFENDANT
AOPC 417-91

RETURN WHERE DEFENDANT
IS FOUND

By authority of this warrant 99
3/30
I took into custody the within named
SAMUEL E PULLINS

☐ He is now at liberty on bail posted before _____
☐ in the _____ jail.

☒ before you for disposition.
☐ I accepted a guilty plea and collected \$ _____
for fine and costs.

☐ I accepted a not guilty plea and collected \$ _____
for collateral.

☒ I accepted the fine and costs due in the amount of \$ _____

(Signature of Officer - Name & Title)
Michael O'Toole
RETURN WHERE DEFENDANT

IS NOT FOUND
After careful search, I cannot find the within named defendant

SIGNATURE
NAME
TITLE

WARRANT OF ARREST

WARRANT CONTROL NO.: 1882423

DOCKET NUMBER: CR-0000091-99

COMMONWEALTH

OF
PENNSYLVANIA

VS.
PULLINS, SAMUEL E

OFFENSE DATE 11/15/98

CHARGE
35 \$780-113 SSA16

I acknowledge that I am voluntarily and knowingly pleading guilty. I paid to the officer the fine and costs stated in the warrant in the amount of \$ _____

(Defendant's Signature)

I acknowledge that I am voluntarily and knowingly pleading not guilty. I paid to the officer the collateral for my appearance at trial stated in the warrant in the amount of \$ _____

(Defendant's Signature)
Officer's costs: _____
Warrant _____
Miles @ _____
Commitments _____
Miles @ _____
Conveying to hearing _____
Miles @ _____
Total _____

Criminal Court Form No. 01

COMMONWEALTH OF PENNSYLVANIA

Vs.

SAMUEL E. PULLINS

Defendant

Before District Justice CHARLES V. MORAN

Docket No. GR091-99

Date of Arrest or Process 03/30/99; 7:00AM Prelim. Hg. set for 04/06/99; 2:15PM 19.....

Offense(s) charged POSSESSION OF CONTROLLED SUBSTANCE; DIST/SELL NONCONTROLLED SUBSTANCE CONTROLLED

District Justice

To Be Completed by Defendant:

Address 310 N. 12TH 7 PITTSBURGH PA 15201 Phone (717) 628-1130
No. Street Town State ZipYOU ARE ENTITLED TO BE REPRESENTED BY A LAWYER IN ALL PROCEEDINGS IN THIS CASE

Your Lawyer's Name N/A Phone

Address

Have you contacted this lawyer? Did he agree to represent you?

If you have not contacted your lawyer, when will you contact him?

IF YOU FEEL YOU CANNOT AFFORD AN ATTORNEY OF YOUR CHOICE, YOU MAY BE ENTITLED TO THE SERVICES OF THE PUBLIC DEFENDER.

Do you wish to apply for Public Defender Services? YES If "yes", you will shortly receive notice of an appointment for an interview which you will be required to keep.

WHILE IT IS NOT ADVISABLE TO DO SO, YOU MAY WAIVE THE RIGHT TO BE REPRESENTED BY AN ATTORNEY.

Is it your intention to waive the right to be represented by a lawyer? N/A

Date: 3-30-1999

Defendant

This form shall be completed in the office of the District Justice when the Defendant FIRST appears there and shall be forwarded IMMEDIATELY by the District Justice to the Court Administrator.

EXHIBIT-(C.1)

BAIL BOND

OTN	P 032619-6	DJ No: 21-3-02	Date of Charge(s): 11/15/98
CC No:	DJ Docket No: CR-0000091-99		
Commonwealth vs. (Defendant Name and Address) PULLINS, SAMUEL E 310 N 12TH ST POTTSVILLE, PA 17901		NEXT COURT ACTION 0/00/00 Date/ Time/ Location	
CHARGE(S): 35 \$780-113 \$SA16 INT POSS CONTR SUBST BY PER NOT REG 35 \$780-113 \$SA35II SELL NONCONT SUBS REPRESENT SUBS CONTR			
ADDITIONAL CHARGES MAY EXIST. PLEASE SEE ADDITIONAL CHARGES PAGE.			
TYPE(S) OF RELEASE:			
<input type="checkbox"/> ROR <input checked="" type="checkbox"/> Unsecured Bail <input checked="" type="checkbox"/> Nonmonetary Condition(s) (see additional page(s)) <input type="checkbox"/> Nominal Bail <input type="checkbox"/> Monetary Condition(s) in the amount of \$ _____			
THE CONDITIONS OF THIS BAIL BOND ARE AS FOLLOWS:			
1. The defendant must appear at all times required until full and final disposition of the case. 2. The defendant must obey all further orders of the bail authority. 3. The defendant must give written notice to the bail authority, the clerk of courts, the district attorney, and the court bail agency or other designated court bail officer, of any change of address within 48 hours of the date of the change. 4. The defendant must neither do, nor cause to be done, nor permit to be done on his/her behalf, any act as proscribed by Section 4952 of the Crimes Code (relating to intimidation of witnesses or victims) or by Section 4953 (relating to retaliation against witnesses or victims), 18 Pa.C.S. §§ 4952, 4953. 5. The defendant must refrain from criminal activity.			
TYPES OF SECURITY:			
<input type="checkbox"/> Cash/Equivalent <input type="checkbox"/> Gov't Bearer Bonds <input type="checkbox"/> Realty w/in Commonwealth <input type="checkbox"/> _____ % Cash <input type="checkbox"/> Surety Bond <input type="checkbox"/> Realty outside Commonwealth			
TOTAL AMOUNT BAIL SET (IF ANY): \$ <u>5,000.00</u> (see sureties page)			

This bond is valid for the entire proceedings and until full and final disposition of the case including all avenues of direct appeal to the Supreme Court of Pennsylvania.

I AGREE THAT I WILL APPEAR AT ALL SUBSEQUENT PROCEEDINGS AS REQUIRED AND COMPLY WITH ALL THE CONDITIONS OF THE BAIL BOND.

THIS BOND SIGNED ON

at Pottsville, PENNSYLVANIA

Samuel E. Pullins
(Signature of Defendant)

Signed and acknowledged before me this 4th day of May, 19 99

Charles V. Moran
(Clerk of Court issuing Authority)

(SEAL)

JUDGE OR ISSUING AUTHORITY
MORAN, CHARLES V

DATE

5/04/99

My commission expires first Monday of January, 2000

PLEASE SEE ATTACHED PAGES FOR ADDITIONAL INFORMATION.

PRINTED: 5/05/99 8:57:59

EX-11-B-T(C-2)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: SCHUYLKILL

Registerial District Number: 21-3-02

District Justice Name: Hon. CHARLES V. MORAN

Address: 2276 WEST MARKET STREET
POTTSVILLE, PA 17901

Telephone: (570) 622-4050

Docket No.: CR091-99

Date Filed: 03/16/99

OTN: EC32619-6



**POLICE
CRIMINAL COMPLAINT**

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT:

NAME and ADDRESS

SAMUEL E. PULLINS
310 NORTH 12TH STREET
POTTSVILLE, PA 17901

Defendant's Race/Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown		Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. <u>08/03/1965</u>	Defendant's Social Security Number <u>267-79-1910</u>	Defendant's SID
Defendant's A.K.A. <u>E</u>		Defendant's Vehicle Information: Plate Number State Registration Sticker (MM/YY)		Defendant's Driver's License Number State <u>PA 23175854</u>	
Complaint/Incident Number <u>10398-98T</u>		Complaint/Incident Numbers if other Participants			UCR/NIBRS Code <u>181</u>

District Attorney's Office ☐ Approved ☐ Disapproved because:

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

MICHAEL O'TOOLE/ROBERT PHILLIPS/ROBERT BRUCE, OAG

123/11/ENI

(Name of Affiant-Please Print or Type)

(Officer Badge Number/I.D.)

of SCHUYLKILL COUNTY DRUG TASKFORCE

PA0540700

10398-98T

(Identify Department or Agency Represented and Political Subdivision)

(Police Agency ORI Number)

(Originating Agency Case Number (OCA))

do hereby state:(check the appropriate box)

- ☒ I accuse the above named defendant, who lives at the address set forth above

☐ I accuse an defendant whose name is unknown to me but who is described as _____

☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 106 NORTH 3RD STREET
POTTSVILLE, PA 4TH WARD (Place-Political Subdivision)

in SCHUYLKILL County on or about 1910 HRS 15 NOVEMBER, 1998

Participants were: (if there were participants, place their names here, repeating the name of the above defendant)
SAMUEL E. PULLINS

2. The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Act 64 The Controlled Substance, Drug, Device and Cosmetic Act
Section 13(a) Prohibited Acts; Penalties
Sub Section 16 Possession of Controlled or Counterfeit Substance

IN THAT, on or about said date, THE DEFENDANT, SAMUEL E. PULLINS, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, nor a practitioner registered or licensed by the appropriate State Board, and not a valid prescription order or order of a practitioner, did knowingly or intentionally possess a controlled or counterfeit substance, NAMELY AMOXICILLIN A COUNTERFEIT CONTROLLED SUBSTANCE, in violation of Section 13(a) (16) of the PA Controlled Substance, Drug, Device and Cosmetic Act. (Act 64 13(a) (16))

EXHIBIT (C.3)

Name: SAMUEL E. PULLINS

POLICE
CRIMINAL COMPLAINT

Ticket Number:

GR-11-99

Act 64 The Controlled Substance, Drug, Device and Cosmetic Act
 Section 13(a) Prohibited Acts; Penalties
 Subsection 35(ii) Distribute/Sell Noncontrolled Substance As a Controlled Substance

IN THAT, on or about said date, THE DEFENDANT, SAMUEL E. PULLINS, did knowingly distribute or sell a noncontrolled substance upon the express or implied representation that the substance was a controlled substance, namely, COCAINE, A SCHEDULE II CONTROLLED SUBSTANCE in violation of Section 13(a) (35) (ii) of the PA Controlled Substance, Drug, Device and Cosmetic Act. (Act 64 13(a) (35) (ii))

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1. <u>13</u> (Section)	(a) (16) (Sub-Section)	of the <u>Act 64</u> (PA Statute)	<u>1</u> (counts)
2. <u>13</u> (Section)	(a) (35) (II) (Sub-Section)	of the <u>Act 64</u> (PA Statute)	<u>1</u> (counts)
3. _____ (Section)	_____ (Sub-Section)	of the _____ (PA Statute)	_____ (counts)
4. _____ (Section)	_____ (Sub-Section)	of the _____ (PA Statute)	_____ (counts)

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

3-15, 1999

[Signature]
(Signature of Affiant)

AND NOW, on this date MARCH 17, 1999, I certify the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

21-3-02

(Magisterial District)

EXHIBIT (C-4)

(Issuing Authority)

SEAL

Name: SAMUEL E. PULLINS

Ticket Number:



POLICE
CRIMINAL COMPLAINT

AFFIDAVIT of PROBABLE CAUSE

J. H. Walcott

ON 15 NOVEMBER, 1998, THIS OFFICER AND OFFICER ROBERT PHILLIPS OF THE SCHUYLKILL COUNTY DRUG TASK FORCE RECEIVED INFORMATION THAT CI 158-98 COULD PURCHASE COCAINE FROM SAMUEL PULLINS.

CI 158-98 HAS BEEN A MEMBER OF THE DRUG CULTURE FOR A NUMBER OF YEARS AND THEREFORE HAS GAINED THE TRUST AND CONFIDENCE OF AREA DRUG DEALERS AND OTHER CRIMINALS, AND IS FAMILIAR WITH THOSE PERSONS AND THEIR OPERATIONS. THE CI HAS PROVIDED INFORMATION THAT WAS ALSO CONFIRMED BY THIS OFFICER AND OFFICER PHILLIPS, SCDTF. THE CI HAS ALSO PROVIDED INFORMATION ABOUT NAMES OF DRUG DEALERS, THEIR ADDRESSES, THE TYPES OF VEHICLE THEY DRIVE, TYPES OF DRUGS INVOLVED AND OTHER INTELLIGENCE INFORMATION WHICH HAS BEEN CONFIRMED THROUGH OTHER SOURCES AND INVESTIGATION. THE CI HAS PROVIDED INFORMATION AGAINST KEITH NIXON AND VICTOR NEWTON IN REFERENCE TO THEIR DRUG ACTIVITY. BOTH OF THESE INDIVIDUALS WERE ARRESTED AND CONTROLLED SUBSTANCES WERE SEIZED FROM THEM.

OFFICERS MET WITH CI AT 1900 HRS, 15 NOVEMBER, 1998, CI WAS SEARCHED, NO DRUGS WERE FOUND ON CI-158-98. CI -158-98 WAS GIVEN \$ 140.00 IN TASK FORCE MONEY.

CI WAS FOLLOWED TO 106 NORTH 3RD STREET POTTSVILLE, THE CI WENT INTO 106 NORTH 3RD STREET AT 1910 HRS, 15 NOVEMBER, 1998, AND LEFT THE HOUSE A FEW MINUTES LATER.

CI WAS FOLLOWED TO A PREDETERMINED LOCATION. THE CI WAS SEARCHED AND THE CI GAVE THIS OFFICER A PLASTIC BAG WITH WHITE POWDER IN IT.

CI GAVE A STATEMENT THAT CI WENT TO 106 NORTH 3RD STREET POTTSVILLE AND GAVE SAMUEL PULLINS \$ 140.00 AND THEN PULLINS GAVE THE CI A PLASTIC BAG WITH WHITE POWDER INSIDE, CI WAS TOLD BY PULLINS THAT THE CONTENTS WAS COCAINE.

THE POWDER WAS FIELD TESTED BY OFFICERS PHILLIPS AND HE RECEIVED INCLUSIVE INDICATIONS FOR COCAINE.

PHILLIPS RETAINED THE POWDER AS EVIDENCE.

I, MICHAEL O'TOOLE/ROBERT PHILLIPS/AGENT ROBERT PHILLIPS SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

(Signature of Affiant)

Sworn to me and subscribed before me this 17th day of MARCH, 1999.

03/17/99 Date
District Justice

My commission expires first Monday of January, 2000.

SEAL

EXHIBIT (C.5)

1 file

FILED
APR 07 1999
Stephen M. Lukach Jr.
Clerk of Court

COURT OF COMMON PLEAS OF SCHUYLKILL COUNTY

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

vs

Samuel E. Pullins
Social Security No.: 267-79-1910
D.O.B.: 8/3/65

: Misc. No. 179 1999
: CR-91-99 OTN F-032619-6
: District Justice Charles Moran

: Misc. No. 180 1999
: CR-69-99 OTN F-166562-4
: District Justice James K. Reiley

ORDER OF COURT

AND NOW, this 6th day of April, 1999, upon consideration of the attached
Petition for Appointment of Private Counsel and upon motion of Harry A. Rubright, Esq.,
Public Defender, **IT IS HEREBY ORDERED AND DIRECTED** that Attorney
Robert Kurtz be appointed to represent the above captioned
defendant on the above matter.

BY THE COURT,

Ballwin, P.J.

SCHUYLKILL COUNTY

1999 APR - 7 P 12:59

CLERK OF COURTS OFFICE

EXHIBIT (D)

IN THE COURT OF COMMON PLEAS OF SCHUYLKILL COUNTY

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : NO. 520 of 1999

vs.

SAMUEL E. PULLINS

ORDER OF COURT

FILED
NOV 04 1999
Stephen M. Lukachuk
Clerk of Courts
Per *[Signature]*

AND NOW, this 4th day of November, 1999, the Court grants
leave to the District Attorney to enter a Nolle Prosequi in the above case due to prosecutorial discretion.

Costs paid County.

BY THE COURT,

Baldwin, P. J.

AND NOW, this 4th day of November, 1999, a Nolle Prosequi is
HEREBY ENTERED.

[Signature]
District Attorney

OK CMH

CLERK OF COURT'S OFFICE
NOV 04 1999

EXHIBIT(E.)

Drug sweep in Pottsville today puts dozens of suspects in jail

EXHIBIT (F)
TUESDAY MARCH 28, 1999

Attorney general expected in city to outline raids

BY SHAWN A. HESSINGER
Staff Writer
E-mail address: shessingr@pottsville.inrl.net

Dozens of people, perhaps as many as 60, were arrested this morning in a series of drug busts that swept through Pottsville beginning at 6 a.m. District Justice Charles V. Moran confirmed at press time.

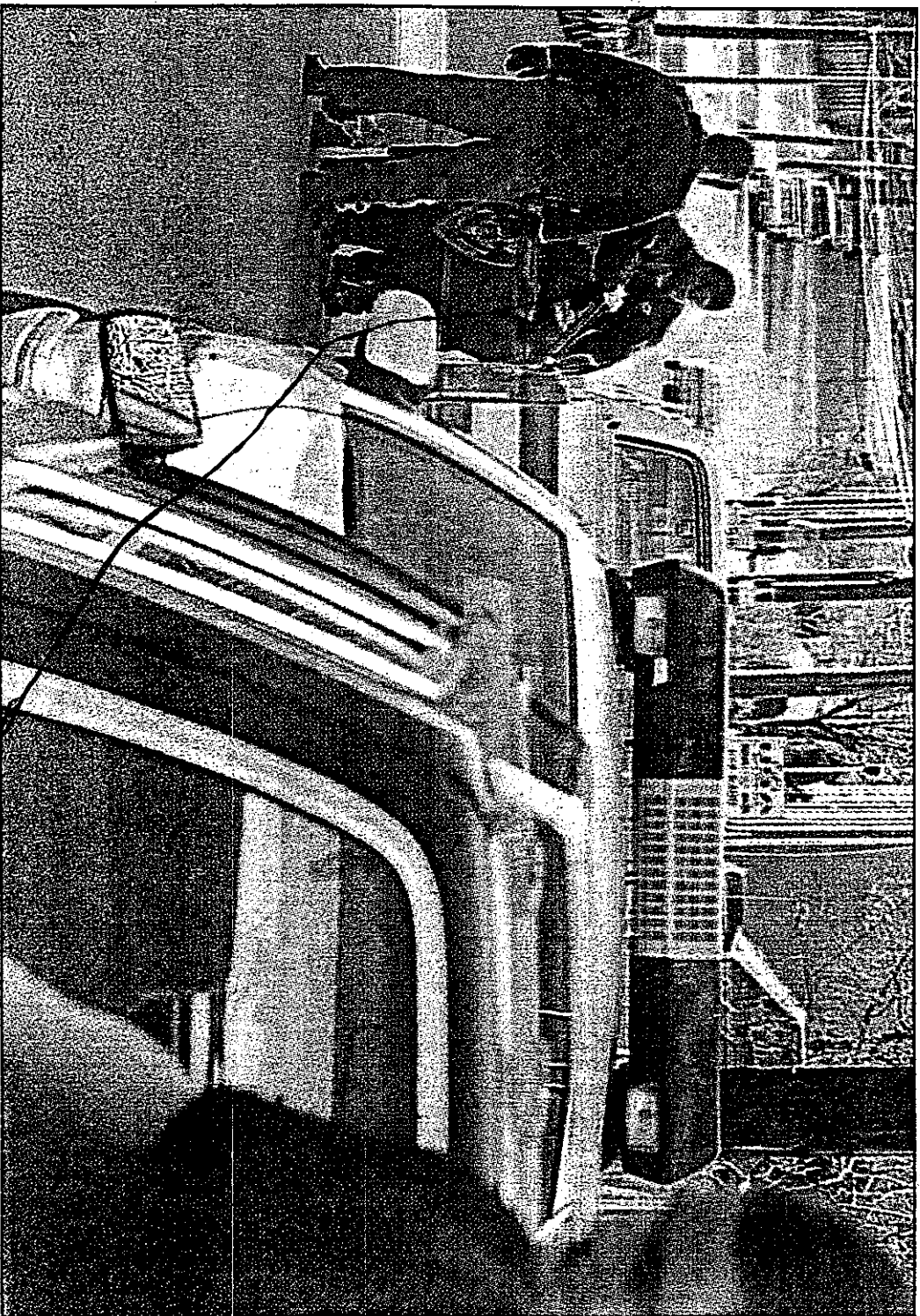
INFO CONNECT™
YOUR INFORMATION SYSTEM
SELECTION 1331

ARRESTS: Get details on today's actions as they are released.

Raids were conducted by officers of the Schuylkill County Drug Task Force and Pottsville Police, Moran said. The suspects were arraigned in Moran's West Market Street office and at District Judge James K. Reiley's on North Centre Street.

State Attorney Michael Fisher was due in the city for a noon press conference detailing the arrests that resulted from a five-month investigation, his spokesman said this morning.

The drugs involved are heroin, crack cocaine, cocaine, marijuana and methamphetamines.



Police take a suspect into custody on 14th Street in Pottsville in this morning's drug raids.

15th
Samuel E. Paulhus

MARK ROGERS/Staff Photo

EXHIBIT (F-1)

TUESDAY, MARCH 30, 1999

C 111

POTTSVILLE, PA.

Vol. CCXXIX - No. 129 Copyright © 1999 J.H. Zerby Newspapers Inc.

50¢

Drug sweep in Pottsville today puts dozens of suspects in jail

One defendant, Paul M. Kopinetz, whose last known address was 406 W. Race St., has already been arraigned on cocaine-related charges, Moran said. He was in Schuylkill County Prison on \$20,000 bail.

Moran confirmed the raids were for cocaine and some crack cocaine.

Just before 7 a.m. this morning at the intersection of Second and Arch streets, an officer from Hegins Town-

ship Police Department holding a Winchester pump shotgun stood behind a camouflaged Chevy Blazer as officers from the task force and Pottsville Police Department dressed in black S.W.A.T.-type uniforms cordoned off a section of Second Street between Arch and Race.

Other officers involved in the raids included Pine Grove, Shenandoah, Palo Alto, Hegins Township, Orwigsburg,

Port Carbon, Saint Clair, Schuylkill Haven and Mahanoy City.

Police were seen exiting a house at 203 Second Street.

Officers of the Schuylkill County Sheriff's Department were also on the scene, but county Sheriff Francis V. McAndrew deferred comment to Pottsville Police Chief Dale L. Repp, who

was expected to release a statement between 11 a.m. and 11:30 a.m. on the

steps of the Schuylkill County Court house.

Palo Alto and Shenandoah police two representatives from the state Attorney General's office and an officer in an unmarked vehicle also entered residence on West Norwegian.

In addition to the numerous arrests that have been made this morning Pennsylvania Liquor Control Enforcement

Please see DRUGS/Page 6



MARK ROGERS/Star

Police block off Second Street, Pottsville, as drug suspects are rounded up this morning.

Drug sweep puts dozens in ja

DRUGS/From Page 1
ment officers brought out two video slot machines from the J & S Bar, located at the corner of Centre and Arch Streets,

and placed them into a blue pickup truck.

About 30 minutes after that, officers brought out four individuals in handcuffs and

escorted them to District tice Reiley's located near (Staff Writers Tim D. Joni R. Edmon and Jeffrey A. contributed to this r

27 arrested in drug sweep, heroin, crack trade targeted

Task force seeks 6 other suspects in city operation

BY JAMES ROWBOTTOM

Staff Writer

E-mail address: jbottom@pottsville.infi.net

Twenty-seven "street-level" drug dealers were rounded up Tuesday morning in a dramatic sweep through Pottsville as a result of an investigation spurred by neighbors' complaints, according to the state attorney general.

* The Schuylkill County Drug Task Force — 65 officers from throughout the county — are still seeking six other suspects on the drug charges, which came after a five-month investigation in the city.

The drugs sold to undercover agents included heroin, crack cocaine, cocaine, marijuana and methamphetamine, Attorney General Mike Fisher said at a press conference Tuesday in front of the J&S Bar & Grill, 118 N. Centre St.

State agents and task force members also focused on the bar, where contraband and money was confiscated as part of an ongoing investigation, said Fisher, who would not release further details on that search.

The 27 arrested during the raid, which began around 6 a.m. with at least one street blockade and suspects being awakened by police, include six women and 21 men. Three were from West Norwegian Street, six from North Second Street, three from West Market, three from West Race and the rest from other Pottsville addresses. An inmate at Berks County Prison, one in Schuylkill County Prison and two men from Schuylkill Haven were also charged.

All suspects were charged with possession, possession with intent to deliver, and delivery of a controlled substance, some with more than one



Officers lifted Wychunas into the air...



...and were finally able to pin him to the sidewalk.

count of each. Four were also charged with criminal conspiracy.

* Fisher said it was probably "the largest raid in recent memory" in Pottsville.

The evidence developed during the investigation will now be used to target mid- to upper-level drug dealers, Fisher said.

"Today, we sent the message to

drug dealers that you don't sell drugs in this neighborhood," Fisher said. "If you do, we'll investigate you, we'll prosecute you and if we get a conviction, we're going to send you to prison."

During the investigation, the task force, including officers from more than 26 county police departments,

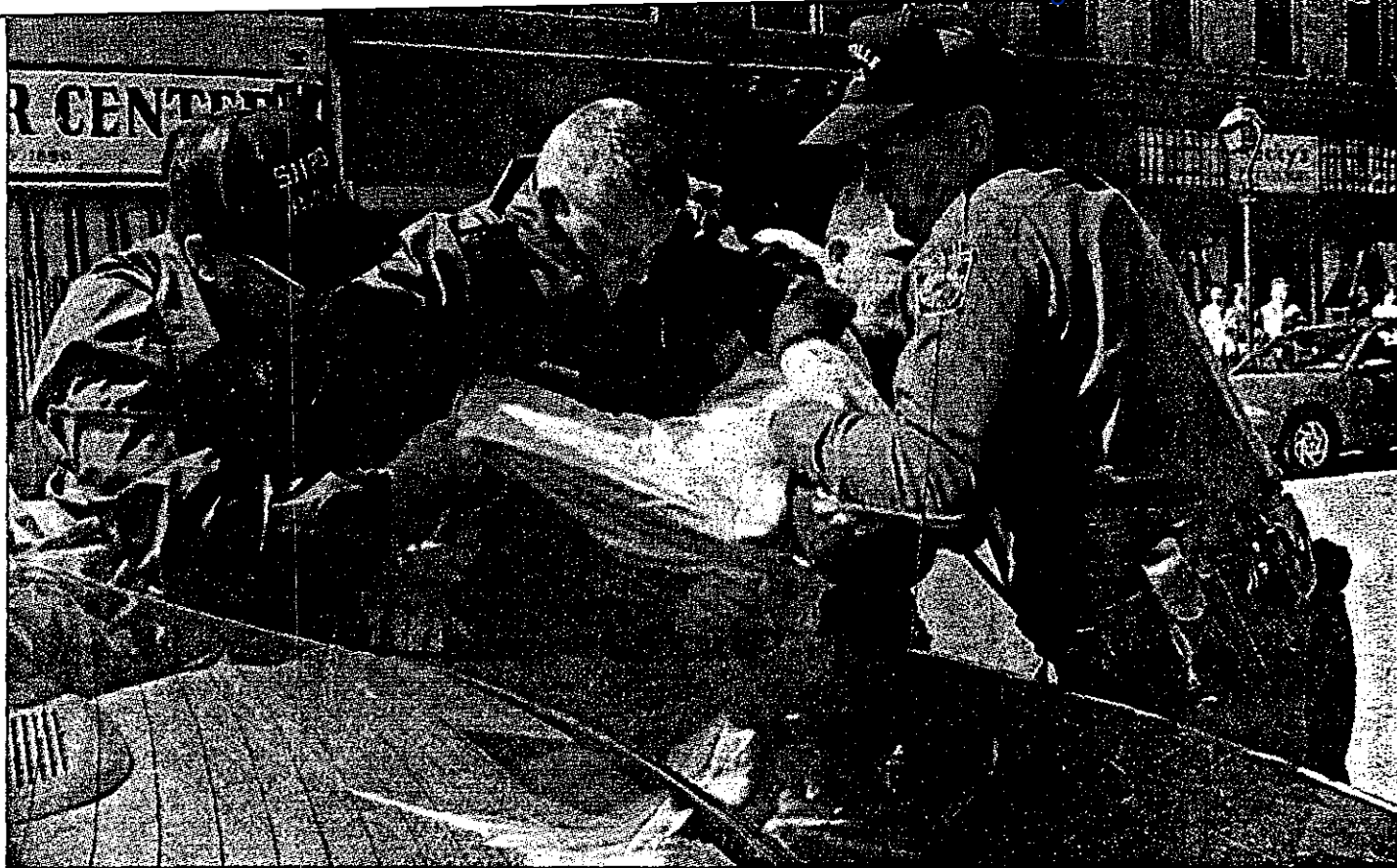
Please see DRUG/Page 6

TASK FORCE: Danger not new for county drug effort.

Details, Page 17

MARCH 31 st

EXHIBIT (F-3)



MARK ROGERS/Staff Photos

Eric Wychunas, 20, of 800-31 N. Second St., Pottsville, seeks to break away from police officers as he is led into his arraignment at District Justice James K. Reiley's court-

room in Pottsville Tuesday morning. Wychunas faces counts of drug possession and possession with intent to deliver.

27 arrested in drug sweep; heroin, crack trade targeted

EXHIBIT 43

EXHIBIT {F-53}

PBC



ERIC CONOVER/Standard-Spe
Pottsville police escort two men to their arraignment at District Justice Ja
Reilly's Pottsville office Tuesday. Nearly 27 people were arrested in a Schuy
County drug raid that began at 6 a.m. More arrests are expected.

Schuylkill Co. raid net nearly 30 drug dealers

By JOHN E. USALIS
Standard-Speaker

POTTSVILLE — An early Tuesday morn-
ing drug raid in the city captured at least 27
street-level drug dealers operating in
Schuylkill County, putting a large dent in
drug trafficking in the business district.

Pennsylvania Attorney General Mike
Fisher along with city and county law
enforcement officials gathered at a press con-
ference in front of J&S Bar 118 N. Center
St., where the five-month-long investigation
was focused.

Ironically, the site is located across the
street from one of the two magistrate offices
in the city where the suspects were being
arraigned throughout the day. The bar is
about three blocks away from Pottsville City
Hall and the Schuylkill County Courthouse.
The investigation was conducted by agents



ERIC CONOVER/Standard-Spe
Pottsville police lead Moses Hay
center, from his arraignment Tuesda

down," said Gary Black, an industry analyst with the New York brokerage firm Sanford C. Bernstein & Co. "This will persuade the industry to start thinking the tide may be turning."

The Williams family, who sought \$101 million, alleged the company knew its cigarettes could cause cancer.

Testimony portrayed Williams, a former janitor with the Portland school system, as a three-pack-a-day Marlboro smoker who believed the manufacturer wouldn't sell a harmful product and who was heavily addicted to nicotine.

Williams died in 1997 just five months after he was diagnosed with small-cell carcinoma of the lungs. He was 67 and left behind a wife, Mayola, and six adult children.

Family members hugged their lawyers after the verdict was read, but had no immediate comment.

Philip Morris attorney Walter Cofer said he will appeal. He noted the tobacco industry has a

40-year history of prevailing in such cases.

"If you look at this verdict, it was not supported by the evidence," Cofer said. "It was a product of passion and prejudice."

The 12-member Circuit Court jury, which included three smokers and four former smokers, spent a little more than two days reviewing a month of technical and often conflicting testimony from experts in such areas as cancer diagnosis, radiology and the chemistry of tobacco smoke.

Much of the medical testimony on both sides was aimed at showing that Williams' cancer arose either before or after 1988. If the jury concluded that Williams' cancer was caused by cigarettes smoked before 1988, Philip Morris couldn't be held liable under Oregon law.

That's because Oregon law allows plaintiffs to seek damages going back only eight years before the filing of a product liability suit.

Besides the San Francisco case, U.S. juries have awarded damages in smoking liability cases only three times — twice in Florida and once in New Jersey. All three verdicts were overturned on appeal.

"As little as three years ago most people thought the tobacco industry was invulnerable. This case shows we have a crack in the dam," said John Banzhof, executive director of Action on Smoking and Health, a leading tobacco opponent.

each of possession, possession with intent and delivery, and one count criminal conspiracy.

■ Victoria Morse, 31, 207 W. Market St., Pottsville. One count each of possession, possession with intent, delivery, and criminal conspiracy.

■ Terri Jo Parsons, 28, 204 N. Second St., Pottsville. Three counts each of possession, possession with intent and delivery.

■ Lena Haynes, 63, 118 N. Centre St., Pottsville. One count each of possession, possession with intent and delivery.

■ Moses Haynes, 61, 118 N. Centre St., Pottsville. Four counts each of possession, possession with intent and delivery.

■ Marc Johnson, 28, 800-27 N. Second St., Pottsville. Two counts each of possession, possession with intent and delivery.

■ Daniel Carrington, 23, 10 Fritz Reed Ave., Schuylkill Haven. Two counts each of possession, possession with intent and delivery.

■ Daniel "Boonie" Rice, 45, D-17 Market Square Apartments, Pottsville. Two counts each of possession, possession with intent and delivery.

■ Leon Estep, 18, 311 W. Market St., Pottsville. Two counts each of possession, possession with intent and delivery.

■ James E. "Ernie" Haynes, 39, 927 W. Norwegian St., Pottsville. Four counts each of possession, possession with intent and delivery.

■ Ronald Walchak, 40, 274 W. Railroad St., Pottsville. Two counts each of possession, possession with intent and delivery.

■ Eric Wychunas, 20, 800-31 N. Second St., Pottsville. Three counts each of possession, possession with intent and delivery.

PA. MONUMENT CO. 454-2621

HAZLETON-SHEPPERTON HIGHWAY RTE. 924-HUMBOLDT

• MONUMENTS • MARKERS

Monument Lettering
& Cleaning In Cemetery

Hours:

Mon.-Fri. 9-4, Sat. 9-2

APPOINTMENTS ANYTIME

Transportation and House Calls
Can Be Arranged.

Largest Monument Manufacturer in NE Pa.
Stanley Bohenek, owner

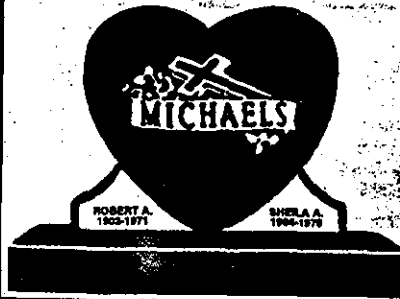


EXHIBIT 73



MARK ROGERS/Staff Photos

Pottsville Mayor Terence P. Reiley reports 50 drug arrests have occurred this year in the city. At right is Attorney General Mike Fisher, in town to announce Tuesday's bust.

27 arrested in sweep

DRUG/From Page 1

made 66 undercover drug purchases, he said.

The investigation was started after North Centre Street residents complained to the task force of alleged drug activities in their neighborhood, Fisher said, noting many of the purchases were made on that street.

It would have been easy for officials to try to avoid the bad publicity of acknowledging that drug deals take place in their city, he said.

But Pottsville Police Chief Dale L. Repp and Mayor Terence P. Reiley said they're "more interested in cleaning it up," Fisher said.

"They recognized ... there's no community immune to the problems of drug abuse and drug dealing," he said.

Tuesday's arrests are evidence drug-fighting efforts in

the city have increased dramatically, Reiley said.

There was an average of 13.7 drug arrest warrants in the city each year from 1990 to 1996, according to Uniform Crime Reports put out by the Federal Bureau of Investigation.

In 1997, Reiley's last year as city councilman, there were 18 warrants, and in 1998, the year he became mayor, there were 33, Reiley said.

In the first three months of 1999, there have been at least 50 people arrested on drug charges, including Tuesday's sweep, which included 76 warrants, he said.

District Attorney Claude A.L. Shields' office will now prosecute the suspects, Fisher said.

"It takes a great deal of manpower and effort to be successful in these types of investigations," said First As-

sistant District Attorney Charles A. Bressi Jr. at the press conference.

The investigation was a cooperative effort among Fisher's office, the task force and Pottsville police. Schuylkill County Sheriff Francis V. McAndrew provided backup support.

Fisher specifically recognized the efforts of Pottsville police Capt. Michael J. O'Toole.

The Pottsville Housing Authority, with the goal of improving the quality of life in its developments, also facilitated the investigation, Repp said.

Richard F. Wojciechowsky, the authority liaison police officer, said he allows residents to complain about drug problems anonymously. Also, the authority was able to provide background information from housing applications of targeted residents, he said.

EXHIBIT EF-83

can.

sumeu power.

PQR

March 31



JACQUELINE DORMER/Special Ph

State police carry weapons out of the building that houses the J & S Bar and Grille in Pottsville across from District

Justice James K. Reiley's office early Tuesday morning. Twenty-seven people were arrested in the raids.

Drug task force does tough job

Long hours, possible danger no barrier to police who fight narcotics

BY TIM DEMKO

Staff Writer

E-mail address: tdemko@pottsville.infi.net

It could be a dreary, cold, snowy Friday night where your coffee is getting cold, your stomach rumbles from non-nutritious food and the idea of catching some sleep is merely a dream.

It might be considered a job nobody wants, where anything can go wrong and you place your life on the line daily.

But that actually is typical for the Schuylkill County Drug Task Force members when they "stake out" a sus-

Those members made their presence felt Tuesday morning as they arrested 27 men and women who are alleged drug traffickers in Pottsville. The arrests came after five months of surveillance, drug purchases and other hard work, according to the task force.

According to Steven R. Wheeler, regional director with the Bureau of Narcotics Investigation and Drug Control in the office of the Attorney General Mike Fisher, the job requires long hours and hard work to achieve these results.

"These people put their lives on the line," he said. "A lot of people don't realize that our members make a

EXHIBIT EF-103

EXHIBIT E-113

Drug task force has tough job

DRUG/From Page 17

ases from these drug pushers, no one is often armed with deadly weapons, and safety is a major factor."

Fisher said Tuesday that task force members made 66 purchases of various drugs from drug traffickers in the five-month period. The investigation began in November.

The task force receives funding through Fisher's office, and ultimately from appropriations from the General Assembly, he said, noting Rep. Bob Allen, R-15, who attended the press conference, has been a big supporter of the drug task force program.

A task force member, who asked not to be named for security purposes, said it is an excit-

ing and tough job that requires discipline.

"It's about 10 percent excitement and 90 percent boredom," said the member. "It doesn't matter where you go, drugs are prevalent everywhere in Schuylkill County, and it's our goal to arrest all drug traffickers."

Wheeler says that in addition to making arrests, there are many legal issues that must be addressed, and members must be committed to due diligence regarding specific guidelines to follow.

"There are 65 dedicated people who are making an effort to rid Schuylkill County of drugs," he said.

First Assistant District Attorney Charles A. Bressi Jr. said coordination by all involved parties was vital to getting all the

information to make the arrests. "The District Attorney's office has emphasized for years how important drug prosecutions are," said Bressi. "The time and effort and the great deal of manpower proved to be effective."

Bressi said although there were only 27 arrests made Tuesday, he believes more will follow. Founded in 1990, the task force's ultimate goal is to take drugs off the street altogether.

With the cooperation of the District Attorney's and state Attorney General's offices and the county's numerous police departments, the task force is looking to improve its rate of success.

As one member said "there's more arrests to be made, and more work to be done."

Hearings in sweep to begin

29 drug suspects will be in court

BY JAMES ROWBOTTOM
Staff Writer

E-mail address: jrbottom@pottsville.infi.net

April 12

The first of the 29 alleged street-level drug dealers arrested in the late March raid in Pottsville were due in court today to determine if there is enough evidence to proceed with the cases.

Preliminary hearings for 23 suspects and 45 cases began at 8:45 a.m. today at District Justice James K. Reiley's Pottsville office and will continue there Friday. District Justice Charles V. Moran's hearings for 13 people and 23 cases are to begin at 1:15 p.m. Tuesday at his Pottsville office.

"We've been working marathon hours to keep up with the paperwork," Reiley said.

On March 30, 27 people were arrested after a five-month investigation by the state Attorney General's Office and Schuylkill County Drug Task Force.

In addition to those 27 named by Attorney General Mike Fisher, two others were arrested as part of the sweep. Kirby N. Reaves, 21, of 42 Peacock St., Pottsville, was arrested

the day after the raid; and Carl Johnson, 26, of 800 Mahantongo St., Pottsville, was arrested the day before on similar charges, according to Charles A. Bressi Jr., Schuylkill County first assistant district attorney.

The Commonwealth sought continuance on the cases Friday, but were denied by President Judge William E. Baldwin, according to District Attorney Claude A.L. Shields.

"They sought it because of the complexity of the number of cases involved," he said Friday afternoon.

"The burden is on the Commonwealth to prove there's enough evidence the cases should go before a jury or judge," Kevin F. Harley, Fisher's deputy press secretary, said earlier Friday. "We have utmost confidence in the Schuylkill County District Attorney's Office."

The investigation included 68 drug purchases with the help of confidential informants, except in the charges against Johnson, according to police affidavits filed in the case. The drug task force served a warrant on Johnson, who was charged with delivering crack cocaine.

About a half-dozen informants were involved in the investigation, but most of the purchases were done by one of them, according to affidavits. Most of the buys were cocaine, but some were marijuana, the records state.

Many of the purchases were for \$50 or \$60, but they went as low as \$25 and as high as \$160, the affidavits show.

The ages of the defendants range from as young as Leon G. Estep, 18, of 311 W. Market, Pottsville, to the oldest, Lena Haynes, 63, of 118 N. Centre St., Pottsville. Both face cocaine charges.

James E. "Ernie" Haynes, 927 W. Norwegian St., an employee at the State Correctional Institution/Mahanoy, was among those arrested, Harley confirmed. He was charged with eight counts each of possession, possession with intent to deliver and delivery of crack cocaine.

Additionally, Moses and Lena Haynes, bartenders and part owners of J&S Bar & Grill, 11 N. Centre St., Pottsville, were arrested for possession, possession with intent to deliver and delivery of cocaine.

In addition to the drug Pennsylvania Liquor Control Board officers confiscated illegal video poker machines from the bar, which was cited for seven liquor violations, Harley said.

DEF

EXHIBIT F-123

INFO
CONNECT
YOUR INFORMATION SYSTEM
SELECTION
1347

HEARINGS:

Get the results of today's hearings.

More drug charges withdrawn

TUESDAY, APRIL 21ST

CHARGES/From Page 1

day after the raid.

At Tuesday's preliminary hearings in the office of District Justice Charles V. Moran, Pottsville, charges against four defendants were held for county court, two people waived their right to hearings and five suspects' hearings were postponed until a later date.

During the four hearings, the informant, Dwight Duckett, contradicted testimony by the Schuylkill County Drug Task Force members, which conducted the five-month drug investigation with the state Attorney General's Office.

The contradictions, according to the defendants' attorneys, included:

- Claiming an alleged dealer was alone on the street when he allegedly met him on two occasions. An officer said other people were there on both dates.

- Naming a different street than an officer as the place Duckett bought drugs.

- Claiming to sell drugs on the first floor of a building when the police affidavit and an officer said it was on the second floor.

- Claiming to buy drugs in a living room when an officer said it was in a doorway.

Additionally, Duckett said he

was unsure which officer participated in a particular drug sale operation.

On Tuesday, charges against Leon G. Estep, 18, of 311 W. Market St., and Eric M. Wychunas, 20, of 207 N. Second St., both of Pottsville, were withdrawn.

Estep's parents submitted an affidavit stating he was at their home in Lake Wynonah when the alleged sale was claimed to have taken place in Pottsville, according to William C. Reiley, assistant district attorney.

The parents were unavailable to testify Tuesday, and the commonwealth needs time to check out the alibi, he said.

Wychunas' charges were withdrawn because the task force needs to corroborate facts before proceeding, Reiley said.

However, Warner said today the task force asked to withdraw the Wychunas cases because they heard Duckett testify to things that were not true in other cases Tuesday.

On April 12 and during the previous week, cases against four others — three of whom had alibis — were withdrawn.

On Friday, cases against five defendants were dismissed by District Justice James K. Reiley, Pottsville, when Duckett was in the hospital.

Twelve people to date have waived their right to a preliminary hearing; seven have been held for court after hearings.

In Tuesday's hearing for Jamie P. Robbins, 512 N. Centre St., Pottsville, Duckett testified Robbins and he were alone on two occasions when he bought drugs from him.

But an officer testified that on both occasions he saw other people standing with Robbins and Duckett.

In the cases against Jesse J. Troutman, 21, of 106 N. Third St., Pottsville, Duckett testified he walked five to seven steps to a first-floor apartment to buy drugs from Troutman. But an officer said it took place on the second floor.

In the case of Joselyn M. Skeen, 21, of 1000 W. Norwegian St., Pottsville, Duckett said Skeen sold him drugs in her living room in front of two people. According to the police affidavit, it occurred "just inside the front door," Warner pointed out.

In the last hearing, for Paul M. Kopinetz, 21, last known address of 406 W. Race St., Pottsville, Duckett said he wasn't sure which officer was with him before and after an alleged sale.

James E. Haynes, 40, and Kirby N. Reaves, 21, both of Pottsville, waived their hearings.

EXHIBIT F-133

4 drug cases falter

DRUGS/From Page 1 Better to withdraw than to compromise the cases, Central Region Department of Security wrote that Rice was visiting someone at Hershey Medical Center during the time Duckett alleges a sale took place in Pottsville. Duckett also claims Bowers sold him drugs at Bowers' Pottsville residence on Jan. 29 and the next day. But Scott Moyer, manager of Domino's Pizza in Pottsville, wrote that Bowers worked in his presence at the times of the alleged deals, draws.

Rice and Bowers had alibis, the informant led, "and they couldn't shake it and they withdrew the charges," public defender Warner said between preliminary hearings and conferences at Reiley's office Monday. "I've never seen such clear cut alibis," he said this morning.

For Carrington, it also came down to Duckett's word against an alibi's, Warner said. Hook's case was withdrawn because Hook said he saw the name of the head of the Schuylkill County Drug Task Force on his caller I.D. when Duckett phoned him, a giveaway Duckett was working with the task force, Warner said. As a result, Hook did not sell drugs to Duckett as the informant claimed, Warner said. On Monday, the head officer testified Duckett's telephone was in his name, and if unblocked could show up on a caller I.D. box.

According to Breznik, in an interview after the hearings, the informant bought a lot of drugs from a lot of people in a short amount of time and confused some of the targets, so it was the drug transactions. During testimony, several drug task force members admitted they based warrants on Duckett's word, with no other witnesses or corroborations to the drug transactions.

He also admitted being a marijuana and alcohol addict. During testimony, several drug task force members admitted they based warrants on Duckett's word, with no other witnesses or corroborations to the drug transactions.

EXHIBIT 2 F-145

4 drug arrests falter

3 raid suspects provide alibis

BY JAMES ROWBOTTOM

Staff Writer
E-mail address: jrowbottom@pottsville.infonet

One of the largest drug raids in Pottsville history may founder on the credibility of the convicted drug dealer who made the undercover buys on behalf of police.

Two cases have been thrown out because the confidential informant who made the drug buys mistook those suspects for somebody else, according to Schuylkill County Assistant District Attorney Leo Breznik.

Those two and a third case were thrown out Monday because of alibis, and a fourth, due to a task force oversight, according to Assistant Public Defender Blair P. Warner.

As he concluded the first day of hearings on 11 of the alleged 29 dealers, District Justice James K. Reiley expressed "serious reservations" about the honesty of the informant, Dwight Duckett.

But only the court of common pleas can rule on the informant's veracity, Reiley said.

Alibis were provided by: Daniel P. "Boonie" Rice, 45, of 7417 Market Square Apartments, Pottsville. He was visiting a girlfriend at Penn State Hershey Medical Center at the time of the alleged drug transaction, and a security officer attested to that.

Thomas J. Bowers, 21, of 210 N. Second St., Pottsville. He was working a shift at Domino's Pizza on two occasions he allegedly sold drugs to Duckett, the manager attested to that.

Arthur E. "D.J." Hook, 24, of 641 N. Second St., Pottsville. Details of his alibi were not obtained.

The fourth case thrown out was of Daniel Carrington, 23, of 10 Fritz Reed Ave., Schuylkill Haven.

All of these men faced various charges involving possession and the sale of drugs.

Duckett claims Rice sold him drugs on March 25, but Edward Shirk, the senior patrol officer with Penn State Gettysburg System Services, South

Please see DRUGS/Page 14

50¢

Vol. XXXI - No. 22 Copyright © 1999 J.H. Zetkey Newspapers Inc.

POTTSVILLE, PA.

MONDAY, NOVEMBER 22, 1999

STU

8 months after citywide raid, just 3 of 27 drug arrests stick

Informant unreliable, prosecutors say, after 24 cases withdrawn

TOM COOMBE

Staff Writer
tcombe@pottsville.infn.net

On March 30, 27 alleged "street-level" dealers were arrested in Pottsville in what authorities characterized as a major drug sweep.

Eight months later, 24 of those cases have been dismissed — most of them because of an informant's lack of credibility and actions, prosecutors say.

Still, representatives in the state Attorney General's Office said sweeps such as this are helpful in that authorities often get information from those arrested that leads them up the ladder to bigger drug suppliers.

Authorities are blaming the lack of convictions in the Pottsville raid on Dwight Duckett, Pottstown, an informant who went undercover for the Schuylkill County Drug Task Force to purchase drugs from the alleged dealers.

"There's a certain quality of cases that I will prosecute," Duckett said. "I will not prosecute cases that are not of that quality."

"There's a certain quality of cases that I will prosecute," Duckett said. "I will not prosecute cases that are not of that quality."

These did not fit that category, Schuylkill County District Attorney Claude A. II Shields said of the cases that were dismissed.

However, he would not elaborate on specific reasons why the prosecution did not go forward.

Task force member John Phillips, Schuylkill Haven, said agents seized heroin, cocaine, crack, marijuana and methamphetamine that had a "heavy cash value." That value was estimated by another police officer.

Please see DRUG/Page 6

MONDAY, NOVEMBER 29, 1999

PAGE 4

OUR VIEW

EXHIBIT {F-17}

Hard lessons come from drug arrests

Informants must be used carefully

Eight months ago, 27 people were arrested in a large-scale drug raid in Pottsville.

At the time, the state Attorney General's office heralded it as a major effort against mid-level dealers. It looked impressive.

Now, charges remain against only three people. And only one guilty plea has been made; the other two are awaiting trial, and could go free.

There are two problems with the outcome: Innocent people may have suffered and guilty people may have gone free.

It is never pleasant for an innocent person to be accused of a crime, to say the least. Drug-related charges are particularly tainting in many people's eyes.

Even though they were not convicted — their cases did not even get to county court — their names still were publicized, and removing the stigma can be as difficult as trying to unring a bell.

And in some cases, people who did sell drugs may have gone free. If this happened, not only aren't these people in prison where they belong, they are quite likely to keep selling drugs, and do it even more boldly now that they've gotten away with it.

What went wrong and how can it be prevented?

It turns out the biggest problem was the informant

many that conflicted with that given by members of the Schuylkill County Drug Task Force and admitting to keeping drugs for himself on a couple of the buys.

In some cases, people against whom the man testified turned out to have alibis corroborated by independent witnesses. As a result, their cases were dismissed.

It is easy in hindsight to say the task force should not have used this particular informant, and abandoning him may be the best thing that results from the affair.

Few things are that easy. Certainly informants must be used to penetrate the drug dealers' world. Often they cannot be local, for what if they were recognized?

Nonetheless, the prosecutors failed to sufficiently screen this informant — and how many others? Procedures should be rigorously reviewed in light of what's been learned.

Certainly, drug raids cannot stop. Drugs are a scourge on society, killing thousands and leaving thousands more so mentally and physically destroyed that they are unable to help themselves or anyone else.

Further, drug users often must steal to finance their habits.

The task force must combat this. Perhaps more local consultation, and cooperation between the attorney general's office and the task force, can lead to more success in the future.

To comment on these editorials call
INFO-CONNECT™

828-6000 453-1000
482-3000 647-7575
889-5200 362-4000
773-2211 345-3200

Selection number

1350

or use E-mail
kavlin@pottsville.infi.net

8 months later, 3 of 27 cases are still viable

EXHIBIT EF-163

DRUG/From Page 1

source as in the hundreds of thousands of dollars.

Two of the three remaining suspects will face court action in the January criminal court term:

- Moses Haynes, 61, of 118 N. Centre St. and 423 Laurel Blvd., Pottsville, charged with four counts of possession, possession with intent to deliver, and delivery.

- James E. Haynes, 39, of 927 Norwegian St., Pottsville, charged with four counts of possession, possession with intent to deliver, and delivery.

The third suspect, Ronald Valchak, 40, of 274 W. Railroad St., Pottsville, pleaded guilty to two counts of possession, possession with intent to deliver, and delivery, was ordered last Monday to wear an electronic monitoring device, a sentence that amounts to house arrest.

For 15 other cases between June and November, prosecutors entered a plea of "nolle prosequi," meaning they had chosen not to follow through with the cases, for various reasons. The defendants had been charged with possession, possession with intent to deliver, delivery and criminal conspiracy, between June and November:

Daniel Carrington, 20 and Ezra Carrington, 22, both of Schuylkill Haven; Paula Crowe, 25; Charles Evers, 24; Lena Haynes, 63; Marc Johnson, 28; Victoria J. Morse, 31; Terri J. Parsons, 28; Maurice "Reese" Porter, 33; Samuel E. Pullins, 33; Basil Reaves, 40; John A. Rich, 47; Crystal Siluk, 25; Gregory Stewart, 20, all of Pottsville; and Donald J. McLean, 23, who was serving an unrelated prison sentence at the time of the sweep.

"It's just the way the buys went down," said Lawrence M. Cherba, senior deputy attorney general designated as an assistant district attorney for these cases.

"Once he goes into a building, we don't know where he's going," Cherba said.

Charges also were dismissed against four of the defendants due to conflicting testimony: Paul M. Kopenitz, 21; Joselyn Skeen, 21; Jesse J. Troutman, 21; and Eric Wychunas, 20, all of Pottsville.

In an April 13 hearing, Duckett testified he had bought drugs from defendants who came to court with alibis.

During the same hearing, assistant Public Defender Blair P. Warner questioned Duckett's involvement with the task force.

According to Duckett's testimony, he was given \$40 following each buy he made, but was never asked to take a urine test or told not to take drugs. Duckett testified that on a few of his buys, he snorted cocaine to "look good."

"He was a nightmare for everyone," Warner said of Duckett's involvement.

Although Duckett's testimony had kept Warner's clients out of jail, Warner said his time on the case ate up taxpayers' money.

"It started to unravel when I did interviews and people had iron-clad alibis," said Warner.

Duckett could not be reached for comment.

Daniel P. Rice, Arthur E. Hook, Leon G. Estep and Thomas J. Bowers, all from Pottsville, had alibis for the times Duckett cited that drug buys occurred; those alibis were corroborated by other witnesses.

Fisher's Deputy Press Secretary Kevin F. Harley said despite the large amount of dismissals, the arrests helped drug investigations on a state and local level.

In a sweep like this, suspects can often give up information on their suppliers, which will lead investigators higher up the criminal ladder, eventually arresting higher-echelon dealers, Harley said.

"There's usually not a lot of drugs seized in street-level drug arrests," said Harley. "The primary purpose is to investigate

Norwegian St., Pottsville, charged with four counts of possession, possession with intent to delivery, and delivery.

The third suspect, Ronald Walchak, 40, of 274 W. Railroad St., Pottsville, pleaded guilty to two counts of possession, possession with intent to deliver, and delivery, was ordered last Monday to wear an electronic monitoring device, a sentence that amounts to house arrest.

For 15 other cases between June and November, prosecutors entered a plea of "nolle prosequi," meaning they had chosen not to follow through with the cases, for various reasons. The defendants had been charged with possession, possession with intent to deliver, delivery and criminal conspiracy, between June and November:

Daniel Carrington, 20 and Ezra Carrington, 22, both of Schuylkill Haven; Paula Crowe, 25; Charles Evers, 24; Lena Haynes, 63; Marc Johnson, 28; Victoria J. Morse, 31; Terri J. Parsons, 28; Maurice "Reese" Porter, 33; Samuel E. Pullins, 33; Basil Reaves, 40; John A. Rich, 47; Crystal Siluk, 25; Gregory Stewart, 20, all of Pottsville; and Donald J. McLean, 23, who was serving an unrelated prison sentence at the time of the sweep.

"It's just the way the buys went down," said Lawrence M. Cherba, senior deputy attorney general designated as an assistant district attorney for these cases.

"Once he goes into a building, we don't know where he's going," Cherba said, noting investigators had difficulty keeping track of Duckett on his buys.

For example, Duckett testified at a hearing April 21 that he was alone when he bought drugs from defendant Jamie P. Robbins, Pottsville, while police said they observed other people with Duckett and Robbins during the buy. The charges against Robbins were later dismissed.

Warner questioned Duckett's involvement with the task force.

According to Duckett's testimony, he was given \$40 following each buy he made, but was never asked to take a urine test or told not to take drugs. Duckett testified that on a few of his buys, he snorted cocaine to "look good."

"He was a nightmare for everyone," Warner said of Duckett's involvement.

Although Duckett's testimony had kept Warner's clients out of jail, Warner said his time on the case ate up taxpayers' money.

"It started to unravel when I did interviews and people had iron-clad alibis," said Warner.

Duckett could not be reached for comment.

Daniel P. Rice, Arthur E. Hook, Leon G. Estep and Thomas J. Bowers, all from Pottsville, had alibis for the times Duckett cited that drug buys occurred; those alibis were corroborated by other witnesses.

Fisher's Deputy Press Secretary Kevin F. Harley said despite the large amount of dismissals, the arrests helped drug investigations on a state and local level.

In a sweep like this, suspects can often give up information on their suppliers, which will lead investigators higher up the criminal ladder, eventually arresting higher-echelon dealers, Harley said.

"There's usually not a lot of drugs seized in street-level drug arrests," said Harley. "The primary purpose is to investigate street-level drug dealers."

Drug busts where small-time dealers turn over larger suppliers "happen quite a bit," Harley said, pointing to a recent sweep in the Altoona area in which 11 dealers were charged with running a drug operation that brought drugs from Buffalo, N.Y., to Pennsylvania.

In the past few months, similar arrests have occurred in Pittsburgh and Pottstown.